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Twenty-seventh session
21 May-8 June 2001

Report on the twenty-seventh session

(Geneva, 21 May-8 June 2001)

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I. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 8 June 2001, the closing date of the twenty-seventh session of the Committee on the Rights of the Child, there were 191 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in annex I to the present report.

2. As at 8 June 2001, the closing date of the twenty-seventh session of the Committee on the Rights of the Child, the Optional Protocol of the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified by 4 States parties and signed by 79 States. As at the same date, the Optional Protocol of the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified by 3 States parties and signed by 72 States. The two Optional Protocols to the Convention were adopted by the General Assembly in resolution 54/263 of 25 May 2000 and opened for signature and ratification or accession in New York on 5 June 2000. A list of States that have signed, ratified or acceded to the two Optional Protocols of the Convention are contained in annexes II and III to the present report.

3. The texts of the declarations, reservations or objections made by States parties with respect to the Convention are reproduced in document CRC/C/2/Rev.8.

B. Opening and duration of the session

4. The Committee on the Rights of the Child held its twenty-seventh session at the United Nations Office at Geneva from 21 May to 8 June 2001. The Committee held 24 meetings (698th-721st). An account of the Committee's deliberations at its twenty-seventh session is contained in the relevant summary records (CRC/C/SR.698-703; 704-708; 711-718; and 721).

C. Membership and attendance

5. All the members of the Committee attended the twenty-seventh session. A list of the members, together with an indication of the duration of their terms of office, is provided in annex III to the present report. Amina Hamza El Guindi, was not able to attend the session in its entirety.

6. The following United Nations bodies were represented at the session: Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Children's Fund (UNICEF), Office of the United Nations High Commissioner for Refugees (UNHCR).

7. The following specialized agencies were also represented at the session: International Labour Organization (ILO), World Health Organization (WHO).

8. Representatives of the following non-governmental organizations were also in attendance at the session:

General consultative status

International Council of Women, International Movement ATD Fourth World, Zonta International.

Special consultative status

Arab Organization for Human Rights, Amnesty International, Coalition against Trafficking in Women, Defence for Children International, International Commission of Jurists, International Confederation of Free Trade Unions, International Confederation of Social Workers, International Federation of Women in Legal Careers, International Federation Terre des Hommes, International Service for Human Rights, World Federation of Methodist and Uniting Church Women, World Organization against Torture. Amnesty International, NGO Working Group for Nutrition, International Baby Food Network (IFBAN).

Others

NGO Group for the Convention on the Rights of the Child.

D. Solemn declaration

9. At its 698th meeting, held on 21 May 2001, those members who were elected at the Eighth Meeting of States Parties made a solemn declaration in accordance with rule 15 of the provisional rules of procedure. The re-elected member, Mrs. Sardenberg, also made her solemn declaration at the same meeting

E. Election of officers

10. At its 698th meeting, held on 21 May 2001, the Committee elected the following officers for a term of two years in accordance with rule 16 of the provisional rules of procedure:

Chairperson:	Mr. Jacod Egbert Doek	(Netherlands)
Vice-Chairpersons:	Mrs. Amina El Guindi	(Egypt)
	Mrs. Awa N'Deye Ouedraogo	(Burkina Faso)
	Mrs. Marilia Sardenberg	(Brazil)
Rapporteur:	Mrs. Judith Karp	(Israel)

F. Agenda

11. At the 698th meeting, on 21 May 2001, the Committee adopted the following agenda on the basis of the provisional agenda (CRC/C/106):

1. Adoption of the agenda.
2. Organizational matters.
3. Submission of reports by States parties.
4. Consideration of reports of States parties.
5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.
6. Methods of work of the Committee.
7. General comments.
8. Future meetings.
9. Other matters.

G. Meeting with the United Nations High Commissioner for Human Rights

12. At the 704th meeting, held on 25 May 2001, the United Nations High Commissioner for Human Rights addressed the Committee.

13. Mrs. Robinson informed the Committee about recent relevant developments in the field of human rights. She recalled that the Commission on Human Rights, during its fifty-seventh session, had adopted a resolution on the rights of the child in which it had noted with interest the adoption by the Committee of a general comment on the aims of education and noted with appreciation the initiative of the Committee on State violence against children. In addition, it welcomed the holding by the Committee of a day of general discussion next September on violence within the school and the family and the Committee's recommendation to the Secretary-General to conduct an in-depth study on the issue of violence against children. The Commission had also decided to establish the mandate of Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people. The Commission had further attached importance to children's rights in the context of HIV/AIDS, which was a most welcome initiative in light of the special session of the General Assembly on HIV/AIDS in June.

14. The High Commissioner attached particular importance to including a child rights dimension in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Children should be an important focus of attention in that global effort since they were all too often vulnerable targets of discrimination and exclusion. At the same time, children had a lot to contribute to a shared vision of an inclusive, non-discriminatory world

because they had open minds and lacked prejudice. That was why the Durban Conference provided a good opportunity to highlight the relevance of the struggle against racism and racial discrimination to child rights. Among the various events planned around the World Conference, a Youth Summit would take place on 27 August, before the opening of the Conference, which would allow young people to bring to the attention of the World Conference a statement reflecting the main issues of concern to them.

15. Finally, the High Commissioner referred to the special session of the General Assembly on Children that would take place in New York from 19 to 21 September 2001. The Committee had actively contributed to the draft outcome document which had greatly evolved since the second session of the Preparatory Committee held in January.

H. Pre-sessional working group

16. In accordance with a decision of the Committee at its first session, a pre-sessional working group met in Geneva from 29 January to 2 February 2001. All the members except Mr. Fulci, Mrs. El Guindi, Mrs. Sardenberg and Mr. Rabah participated in the working group. Representatives of OHCHR, ILO, UNICEF, UNESCO, UNHCR and WHO also participated. A representative of the NGO Group for the Convention of the Rights of the Child, as well as representatives from various national and international non-governmental organizations, also attended.

17. The purpose of the pre-sessional working group is to facilitate the Committee's work under articles 44 and 45 of the Convention, primarily by reviewing State party reports and identifying in advance the main questions that would need to be discussed with the representatives of the reporting States. It also provides an opportunity to consider questions relating to technical assistance and international cooperation.

18. Members of the Committee elected Esther Margaret Queen Mokhuane and Awa N' Deye Ouedraogo to chair the pre-sessional working group. The latter held eight meetings, at which it examined lists of issues put before it by members of the Committee relating to the initial reports of seven countries (Turkey, Democratic Republic of the Congo, Ivory Coast, United Republic of Tanzania, Bhutan, Oman and Monaco) and the second periodic reports of two countries (Denmark and Guatemala). The lists of issues were transmitted to the Permanent Missions of the States concerned with a note requesting written answers to the issues raised in the list, if possible, before 6 April 2001.

I. Organization of work

19. The Committee considered the organization of work at its 698th meeting, on 21 May 2001. The Committee had before it the draft programme of work for the twenty-sixth session, prepared by the Secretary-General in consultation with the Chairperson of the Committee, and the report of the Committee on its twenty-sixth session (CRC/C/103).

J. Future regular meetings

20. The Committee noted that its twenty-eighth session would take place from 24 September to 12 October 2001 and that its pre-sessional working group for the twenty-ninth session would meet from 15 to 19 October 2001.

II. REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

A. Submission of reports

21. The Committee had before it the following documents:

(a) Notes by the Secretary-General on initial reports by States parties due in 1992 (CRC/C/3), 1993 (CRC/C/8/Rev.3), 1994 (CRC/C/11/Rev.3), 1995 (CRC/C/28), 1996 (CRC/C/41), 1997 (CRC/C/51), 1998 (CRC/C/61) and 1999 (CRC/C/78); and on periodic reports of States parties due in 1997 (CRC/C/65), 1998 (CRC/C/70), 1999 (CRC/C/83), 2000 (CRC/C/93) and 2001 (CRC/C/104);

(b) Note by the Secretary-General on the States parties to the Convention and the status of submission of reports (CRC/C/105);

(c) Note by the Secretary-General on the follow-up to the consideration of initial reports by States parties to the Convention (CRC/C/27/Rev.11);

(d) Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee (CRC/C/40/Rev.18).

22. The Committee was informed that, in addition to the eight reports that were scheduled for consideration by the Committee at its current session and those which had been received prior to the Committee's twenty-seventh session (see CRC/C/103, para. 19), the Secretary-General had received the initial reports of Switzerland (CRC/C/78/Add.3), the Netherlands Antilles (CRC/C/107/Add.1), the Republic of Moldova (CRC/C/28/Add.19), Seychelles (CRC/C/3/Add.64), Israel (CRC/C/3/Add.65), Solomon Islands (CRC/C/51/Add.6) and Haiti (CRC/C/51/Add.7) and the second periodic reports of Pakistan (CRC/C/65/Add.20), Madagascar (CRC/C/70/18), New Zealand (CRC/C/93/Add.4) and Canada (CRC/C/83/Add.6).

23. A list of initial and second periodic reports considered by the Committee as of 8 June 2001, as well as a provisional list of initial and second periodic reports scheduled for consideration at the Committee's twenty-eighth and twenty-ninth sessions, are contained in annexes VI and VII respectively.

24. As at 8 June 2001, the Committee had received 162 initial and 47 periodic reports. A total of 155 reports (138 initial and 17 second periodic) have been examined by the Committee (see annex VI).

25. In a note verbale dated 18 April 2001, the Government of Oman requested that the consideration of its initial report, initially scheduled to take place during the twenty-seventh session, be postponed to the twenty-eighth session of the Committee. The Committee accepted the request in its response dated 3 May 2001.

26. In a note verbale dated 9 April 2001, the Government of Egypt submitted observations to the Committee concerning the concluding observations (CRC/C/15/Add.145) adopted at its twenty-sixth session. The Committee transmitted a letter of response to the Egyptian authorities on 1 June 2001.

27. In a note verbale dated 12 April 2001, the Government of Bolivia submitted information on recent developments linked to the implementation of the Convention on the Rights of the Child.

28. By a note verbale dated 11 May 2001, the Government of the Dominican Republic transmitted a booklet compiling all the child-related jurisprudence of the Supreme Court.

29. At its twenty-seventh session, the Committee examined initial and periodic reports submitted by eight States parties under article 44 of the Convention. It devoted 16 of its 24 meetings to the consideration of reports (see CRC/C/SR.699-702; 705-708 and 711-718).

30. The following reports, listed in the order in which they were received by the Secretary-General, were before the Committee at its twenty-seventh session: Guatemala (CRC/C/65/Add.10), Denmark (CRC/C/70/Add.6), Democratic Republic of the Congo (CRC/C/3/Add.57); Côte d'Ivoire (CRC/C/81/Add.41), Bhutan (CRC/C/28/Add.15), Monaco (CRC/C/28/Add.15), Turkey (CRC/C/51/Add.4), and United Republic of Tanzania (CRC/C/8/Add.14/Rev.1).

31. In accordance with rule 68 of the provisional rules of procedure of the Committee, representatives of all the reporting States were invited to attend the meetings of the Committee at which their reports were examined.

32. The following sections, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of the reports, contain concluding observations reflecting the main points of discussion and indicating, where necessary, issues that require specific follow-up. More detailed information is contained in the report submitted by the States parties and in the summary records of the relevant meetings of the Committee.

B. Consideration of reports

Denmark

33. The Committee considered the second periodic report of Denmark (CRC/C/70/Add.6), received on 15 September 1998, at its 699th to 700th meetings (CRC/C/SR.699 and 700), held on 22 May 2001, and adopted, at its 721st meeting, on 8 June 2001, the following concluding observations.

A. Introduction

34. The Committee welcomes the submission of the State party's second periodic report and the written replies to its list of issues (CRC/C/Q/DEN/2) which allowed for a clearer understanding of the situation of children. The Committee regrets that the report did not include adequate information concerning the situation of children in Greenland and the Faroe Islands and did not follow the general guidelines regarding the form and contents of periodic reports to be submitted by States parties (CRC/C/58). The Committee is encouraged by the constructive and open dialogue it had with the State party and welcomes the positive reactions to the suggestions and recommendations made during the discussion. The Committee acknowledges that the presence of a delegation directly involved in the implementation of the Convention allowed for a fuller assessment of children's rights in the State party.

B. Follow-up measures undertaken and progress achieved by the State party

35. The Committee commends the State party for its overall progress in implementing the Convention on the Rights of the Child. The State party's efforts to apply the Committee's initial concluding observations and recommendations (CRC/C/15/Add.33) to legislation, policies and programmes for children are noted.

36. The Committee notes with appreciation the State party's outstanding commitment in the area of international cooperation and development assistance. In this regard, the Committee notes that the State party allocates a significant percentage of its gross domestic product to foreign aid, mainly in support of least developed countries.

37. The Committee welcomes the childcare initiative introduced by law and taken in cooperation with the municipalities and experts in education in order to improve the quality of day-care facilities.

38. The Committee notes with satisfaction that, in 1997, the right of parents to use corporal punishment on their children was abolished by law. The Committee expresses further satisfaction at the nationwide awareness raising campaign undertaken to inform parents about the new legislation. The Committee notes the efforts to include material in minority languages as a follow-up to the campaign.

39. The Committee notes with satisfaction that the National Council for Children was permanently established by law in 1998 and mandated to assess independently the situation of children within the State party in light of the principles and provisions of the Convention.

40. The Committee notes with satisfaction that the State party has ratified the Hague Convention of 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption in 1997. The ratification necessitated amendments to the Adoption Act that, inter alia, ensures greater participation of the child in his/her adoption. The Committee further notes that the State party has ratified ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and ILO Convention (No. 138) concerning Minimum Age for Admission to Employment.

41. The Committee notes that the State party has recently facilitated the second session of the Danish Youth Parliament and welcomes the initiative by the Cabinet to review and circulate the decisions and recommendations of the young parliamentarians.

C. Principal subjects of concern and recommendations

1. General measures of implementation

Reporting

42. The Committee regrets that the report did not include adequate information concerning the situation of children in Greenland and the Faroe Islands and that it did not follow the general guidelines regarding the form and contents of periodic reports to be submitted by States parties (CRC/C/58).

43. The Committee recommends that the State party take all effective measures to ensure that its next periodic report includes specific information on the situation of children in Greenland and the Faroe Islands and that it follows the general guidelines regarding the form and contents of periodic reports to be submitted by States parties (CRC/C/58).

Reservations

44. The Committee notes the initiative of the State party, through its Standing Committee on Procedural Law, to initiate the process of reviewing its reservation to article 40 (2) (b) (v) of the Convention.

45. In light of the Vienna Declaration and Plan of Action of the World Conference on Human Rights (1993), the Committee encourages the State party to complete the process of review of its reservation to article 40 (2) (b) (v) of the Convention with a view to withdrawing it.

Legislation

46. The Committee notes that the Minister of Justice has set up a committee of human rights experts to examine the advantages and disadvantages involved in incorporating into Danish law the core international human rights treaties, including the Convention on the Rights of the Child. While the Committee notes that the recommendations of the expert committee have not yet been finalized, it remains concerned about the legal status of the Convention on the Rights of the Child in domestic law.

47. The Committee encourages the State party to consider the incorporation of core international human rights instruments, including the Convention on the Rights of the Child, into domestic law. In this regard, the Committee urges the State party to give equal weight to all international human rights instruments. It is recommended that the State party include in its next periodic report information on the recommendations of the expert committee and the decision of the Government regarding this issue.

Ratification of international human rights instruments

48. The Committee notes that the State party is currently considering the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

49. The Committee encourages the State party to accede to this Convention.

Coordination

50. While the Committee notes that the terms of reference of the Inter-Ministerial Committee on Children were updated in 1997, it remains concerned that the Convention has not yet been established as the framework for the work of the Inter-Ministerial Committee. The Committee is also concerned that insufficient efforts have been made by the State party to explicitly include the Convention in its general consideration of children's policies and programmes.

51. The Committee encourages the State party to consider establishing the Convention as the framework for the work of the Inter-Ministerial Committee. Additionally, the State party is encouraged to consider the elaboration of a comprehensive strategy for children based on the Convention on the Rights of the Child.

Data collection

52. The Committee notes with concern that the existing data collection mechanisms are inadequate to ensure the collection of disaggregated data on all aspects of the Convention and to effectively monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

53. The Committee recommends that the State party reinforce its system of data collection and develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies adopted with respect to children. Efforts should be made to ensure that the data collection system incorporates all the areas covered by the Convention and covers all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable.

Independent complaints mechanisms

54. The Committee notes that the State party has established a number of initiatives to facilitate the lodging of complaints by children of violations of their rights, including through the Office of the Ombudsman and a telephone hotline. However, the Committee remains concerned about the accessibility and availability of these complaint mechanisms to all children within the State party.

55. The Committee suggests that the State party take all effective measures to ensure that its independent complaint mechanisms are easily accessible to and user-friendly for all children, to deal with complaints of violations of their rights and to provide remedies for such violations. In this regard, the Committee encourages the State party to reinforce its

awareness raising efforts to facilitate the effective use by children of the complaint mechanisms. While the Committee notes the reluctance to establish a separate complaints mechanism for children, it encourages the State party to consider strengthening the mandate of the National Council for Children to include individual cases and complaints from children, or to establish a child rights focal point within the Office of the Ombudsman.

Dissemination of the Convention and its principles

56. The Committee notes the efforts of the State party to disseminate, including through the Internet, the principles and provisions of the Convention within schools and among professionals working with children, including teachers, school administrators and police personnel. However, it remains concerned that children and professionals working with and for children are not fully aware of the Convention and the principles enshrined therein.

57. The Committee recommends that the State party reinforce its efforts to systematically and continuously disseminate the principles and provisions of the Convention and to ensure that the Convention is systematically incorporated into the school curriculum and the training activities of professional groups and administrative bodies, at all levels of society, working with and for children.

2. General principles

Non-discrimination

58. The Committee is aware of the measures taken by the State party to promote non-discrimination though, inter alia, the amendment to the Criminal Code and the preparation and dissemination of a brochure concerning ethnic minorities and the police. However, the Committee notes that de facto discrimination against and xenophobia directed at certain groups of children, especially children belonging to ethnic minorities, refugee and asylum-seeking children, children belonging to migrant families, children with disabilities and those belonging to socially and economically disadvantaged families continue to be of concern, including within the education system.

59. In light of article 2 and other related articles of the Convention, the Committee recommends that the State party strengthen its measures, including through the Board for Ethnic Equality by, inter alia, organizing ongoing awareness raising campaigns to change attitudes and to eliminate de facto discrimination against and xenophobia directed at minority groups, especially children belonging to migrant families, refugee children, children with disabilities and children belonging to socially and economically disadvantaged families.

Best interests of the child

60. The Committee is concerned that the general principle of the best interests of the child (art. 3) is not fully applied and duly integrated in the implementation of the policies and programmes of the State party. In this regard, the Committee notes that the rights of parents are often found to be more important than the best interests of the child.

61. The Committee recommends that further efforts be made by the State party to ensure the implementation of the principle of the best interests of the child in its laws, policies and programmes for children, as well as in all judicial and administrative decisions concerning children.

Respect for the views of the child

62. The Committee is aware of the various provisions in the law concerning the right of the child to be heard and that the legal minimum age in this regard is 12 years. However, the Committee remains concerned about the inadequate implementation of article 12 of the Convention and the fact that children below the age of 12 years do not have a right to be heard.

63. The Committee recommends that the State party take the necessary measures to ensure effective implementation of article 12 of the Convention, not only in court proceedings but also in various administrative decisions, including with respect to child protection services, custody proceedings and the placement of children in institutions. Moreover, the State party is urged to effectively promote and encourage respect for the views of children below the age of 12 years, according to his/her evolving capacities, and in light of article 12 of the Convention.

3. Family environment and alternative care

Parental guidance and responsibilities

64. While the Committee notes that financial and special assistance programmes for single parents have been established, including at the municipal level, it remains concerned about the vulnerability of children belonging to single-parent families. Concern is also expressed about the situation of children belonging to ethnic minority families.

65. The Committee recommends that the State party strengthen its programmes and initiatives in support of single parent and ethnic minority families.

Child abuse and neglect in the family

66. The Committee notes the various measures to address abuse and neglect of children, including the implementation of the proposals of an inter-ministerial working group on sexual abuse. However, it remains concerned about the lack of information on the magnitude of the phenomenon and the effects of the various measures implemented.

67. The Committee recommends that the State party develop and implement a comprehensive policy that includes an effective reporting and referral system of all cases of child abuse, including sexual abuse, and neglect; regular evaluation of the results of the various measures taken; and legislation that ensures child-sensitive, multi-disciplinary procedures conducted by well-trained professionals, in order to avoid further traumatizing of the child.

4. Basic health and welfare

Adolescent health

68. While noting the efforts of the State party, the Committee remains concerned about the health problems faced by adolescents, particularly the high incidence of eating disorders, especially among teenage girls; drug, alcohol and tobacco abuse; and suicide.

69. The Committee recommends that the State party reinforce its efforts to address these adolescent physical and mental health concerns through, inter alia, preventive education, counselling and rehabilitative programmes to strengthen self-confidence among young people and prevent behaviour that could negatively affect their health.

5. Education, leisure and cultural activities

Violence against children in institutions

70. Acknowledging the activities undertaken by the State party in this regard, the Committee remains concerned about the rather high level of bullying in schools and about the inadequate protection of children from abuse, including sexual abuse, in day-care and other institutions.

71. The Committee recommends that the State party strengthen its measures, in participation with children, to prevent and combat violence and bullying in schools, taking into account the recommendations of the National Council for Children in that regard. Furthermore, the State party is encouraged to take the necessary measures to prevent persons convicted of crimes against children from working in care and other institutions for children.

5. Special measures of protection

Administration of juvenile justice

72. While the Committee notes the efforts of the State party in the area of juvenile justice, it remains concerned that children between the ages of 15 and 17 years may be held in adult detention facilities and kept in solitary confinement.

73. The Committee urges the State party to review its legislation and policies governing juvenile justice to ensure that they are fully consistent with the Convention, especially articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of

Juveniles Deprived of Their Liberty. In light of articles 3, 37, 40 and 39 of the Convention, the Committee further recommends that the State party take all effective measures to ensure that children are separated from adults in detention facilities and that children are not subjected to solitary confinement, unless it is in their best interests and subject to court review. Additionally, the Committee encourages the State party to reinforce its rehabilitation and reintegration programmes for children in conflict with the law.

Sexual abuse and exploitation

74. The Committee is aware of the efforts of the State party to prevent and combat sexual abuse and exploitation, including the recent establishment of an information collection system on sexual abuse. The Committee is concerned about the lack of awareness about child abuse and exploitation and the inadequate efforts to address child pornography. The Committee also notes the need for training for professionals working with and for child victims of abuse, including police officers, lawyers and social workers.

75. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party reinforce its efforts to strengthen current policies and measures, including care and rehabilitation, to prevent and combat these phenomena. The Committee recommends that the State party take all appropriate measures to introduce and/or reinforce training for professionals working with and for child victims of abuse and exploitation.

76. The Committee notes that a bill has been introduced that would provide support for children between the ages of 15 and 17 years who may be experiencing difficulties in adjusting to the norms and rules of society, especially those children in conflict with the law. However, the Committee remains concerned about the situation of such children.

77. The Committee encourages the State party to continue and, where necessary, reinforce its efforts in providing adequate support to these children and to their parents.

6. Ratification of the Optional Protocols

78. The Committee is aware that the State party has signed the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

79. The Committee encourages the State party to ratify both Optional Protocols as soon as possible.

7. Dissemination of the documentation

80. Finally, **in light of article 44, paragraph 6, of the Convention, the Committee recommends that the second periodic report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to**

generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

Turkey

81. The Committee considered the initial report of Turkey (CRC/C/51/Add.4), received on 7 July 1999, and additional information (CRC/C/51/Add.8) at its 701st and 702nd meetings (see CRC/C/SR.701-702), held on 23 May 2001; and at its 721st meeting, held on 8 June 2001, adopted the following concluding observations.

A. Introduction

82. The Committee welcomes the submission of the State party's initial report, which follows the guidelines for reporting, the timely submission of the written replies to its list of issues (CRC/C/Q/TUR.1) and the provision of additional documentation. It notes with appreciation the large and multisectoral delegation sent by the State party which allowed the Committee to have a good assessment of the situation of the rights of the child in the State party.

B. Positive aspects

83. The Committee welcomes the ongoing process of ensuring that the State party's legislation is compatible with the provisions and principles of the Convention. In particular, it notes the preparation of a study to evaluate the conformity of the laws with the Convention and of an "Implementation checklist for the Convention on the Rights of the Child" to monitor to what extent the provisions and principles of the Convention have been implemented in Turkey.

84. The Committee notes with satisfaction the establishment of the Higher Council and the Sub-Committee for Monitoring and Evaluating the Rights of the Child established under the Office of the Prime Minister to coordinate intersectoral planning for children. It also notes that the General Directorate of the Social Services and Child Protection Agency (SHÇEK) coordinates the implementation of the Convention within the country.

85. The Committee welcomes the fact that the duration of compulsory education has been increased to eight years and takes note of the government programme addressing high illiteracy among girls and women through the Girls Education Project in collaboration with UNICEF. Further, it notes with interest the Early Childhood Development Support Project whose aim is to give school preparation, health care and nutrition to children aged 5 and 6 who live in disadvantaged areas of major cities.

86. The Committee notes with satisfaction that the State party has ratified ILO Convention No. 138 on the Minimum Age for Employment and ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. It also notes the signature in August 1999 of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

87. The Committee notes with appreciation that the State party launched in 1999 a promotion campaign on the Convention on the Rights of the Child coordinated by the General Directorate of the Social Services and Child Protection Agency (SHÇEK) with the cooperation of various ministries and UNICEF to enhance the principles and provisions of the Convention. It also takes note of the organization of the National Children's Congress in April 2000 with the participation of delegations of children from 81 provinces, civil society organizations, relevant public agencies and universities and of the convening in November 2000 of the Child Forum with the participation of children to review progress in the implementation of the conclusions of the National Children's Congress and to assess the implementation of child rights activities in the provinces.

88. The Committee acknowledges the multiple efforts undertaken by the State party after the two devastating earthquakes of 1999 to address children's issues by creating social services units to benefit children and by providing psycho-social support for children in schools in the earthquake region.

89. The Committee notes with satisfaction that the State party's initial report was prepared by ad hoc committees comprised of representatives of public agencies, non-governmental organizations and universities, as well as international organizations.

C. Factors and difficulties impeding progress in the implementation of the Convention

90. The Committee notes with concern that the State party is facing some difficulties in the implementation of the Convention, in particular owing to the persistence of social and regional disparities in the country and the damage caused by the two devastating earthquakes of 17 August and 12 November 1999. The Committee further observes that the State party's narrow interpretation of the definition of minority is impeding for some groups the enjoyment of human rights protected under the Convention.

D. Principal areas of concern and recommendation

1. General measures of implementation

Reservations

91. The Committee notes with concern the reservations to articles 17, 29 and 30 of the Convention. It also notes that, in some cases, in particular in the fields of education and freedom of expression and the right to enjoy their own culture and use their own language, these reservations may have a negative impact on children belonging to ethnic groups which are not recognized as minorities under the Treaty of Lausanne of 1923, in particular children of Kurdish origin.

92. The Committee encourages the State party to consider withdrawing its reservations to articles 17, 29 and 30 of the Convention.

Legislation

93. The Committee notes that part of the national legislation is currently under review, in particular the Civil Law, the Criminal Code and the Code of Criminal Procedure. Nevertheless, it expresses its concern that relevant parts of the legislation, such as the "Anti-terror Law" of 1991 and some provisions on juvenile courts, are still not in full conformity with the provisions and principles of the Convention.

94. The Committee recommends that the State party continue its efforts on law reform with a view to ensuring full conformity of domestic legislation with the provisions and principles of the Convention, and take the necessary steps to end disparities between law and practice, in particular with reference to pre-trial detention of children.

Coordination

95. The Committee, while acknowledging the efforts made by the State party to improve coordination by establishing the Higher Council and the Sub-Committee for Monitoring and Evaluating the Rights of the Child, nevertheless takes note that the General Directorate of the Social Services and Child Protection Agency (SHÇEK), which is the coordinating agency for the implementation of the Convention and the secretariat for the Higher Council, was not provided with enough financial and human resources. In addition, it expresses its concern at the high level of centralization in the decision-making process and at the inadequate coordination within government agencies, both at the national and local levels, as well as between government agencies and the private and voluntary sectors.

96. The Committee recommends that the State party provide adequate human and financial resources in order to strengthen coordination and make it more effective. It further encourages the State party to decentralize some aspects of the process of democratic decision-making, in particular with regard to health and education, in order to improve coordination also with the local authorities and with the private and voluntary sectors, especially in the south-eastern region.

Allocations of budgetary resources

97. The Committee, while noting that budgetary allocations for children have been increasing in recent years, especially in the education and health sectors, nevertheless expresses its concern that the recent economic crisis and related structural adjustment policies could have a negative influence on such allocations. Further, it remains unclear to what extent the most vulnerable groups of children, in particular, benefit from the increase in the budgetary allocations for children.

98. In the light of article 4 of the Convention, the Committee encourages the State party to identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated to the maximum extent of available resources for the implementation of the rights recognized in the Convention, including the economic, social and cultural rights of children, in particular to local governments and for children belonging to the most vulnerable groups in society. It also recommends that the State party take the necessary

measures to identify the amount and proportion of the budget spent on children at the national and local levels, including the resources from international aid programmes, in order to evaluate adequately its impact on children.

Independent monitoring structures

99. The Committee expresses its concern at the absence of an independent mechanism, such as an Ombudsman or a commission for children, to monitor children's rights and to register and address individual complaints from children concerning violations of their rights under the Convention, and notes the ongoing discussions on the establishment of an Office of the Ombudsman for Children.

100. The Committee encourages the State party to pursue its efforts with a view to developing and establishing an independent and effective mechanism, easily accessible for children and in accordance with the Paris Principles, to monitor the implementation of the Convention, to deal with complaints from children in a child-sensitive and expeditious manner and to provide remedies for violations of their rights under the Convention. In this regard, the Committee also recommends that the State party consider seeking technical assistance from, inter alia, UNICEF and the Office of the High Commissioner for Human Rights.

Data collection and analysis

101. The Committee notes with appreciation measures taken by the State party, such as the establishment of the Child Information Network within the framework of the 1997-2000 Government of Turkey and UNICEF Master Plan of Operations and its continuation in the period 2001-2005 as the Child and Woman Information Network Project. It nevertheless expresses its concern at the absence of a unit within the State Institute of Statistics (SIS) responsible for the systematic collection of disaggregated data for all areas covered by the Convention and in relation to all groups of persons under 18 years of age.

102. The Committee recommends that the State party continue to develop a system of data collection and indicators consistent with the Convention and provide additional support to the Child Information Network. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect or ill-treatment; children with disabilities; children belonging to minorities and various ethnic groups; children who are internally displaced; children in conflict with the law; child asylum-seekers; children who work; adopted children; and children living in the streets and in rural areas. It further encourages the State party to use these indicators and data in the formulation of policies and programmes for the effective implementation of the Convention.

Dissemination of the Convention

103. While noting the number of initiatives carried out by the State party in order to disseminate the Convention within the country, the Committee is nevertheless concerned that the principles and provisions of the Convention are not yet disseminated at all levels of society and in particular in rural areas.

104. The Committee recommends that the State party promote knowledge of the Convention at all levels, including the administrative authorities and civil society, especially non-governmental organizations and the private sector, and develop more creative methods to disseminate the Convention, in particular through audiovisual aids such as picture books and posters, in particular at the local level. The Committee also recommends adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators and health personnel. The State party is encouraged to integrate fully the Convention into the curricula at all levels of the educational system.

2. Definition of the child

105. The Committee expresses its concern about the disparity between the minimum legal age for marriage of boys (17 years) and of girls (15 years) and notes that in the draft civil code the minimum legal age for marriage has been raised to 17 for both boys and girls. Further, it notes with concern that there is not a clear minimum age for admission to employment and this could conflict with the age for the end of compulsory education, which is set at 15.

106. In the light of articles 1 and 2 and related provisions of the Convention, the Committee encourages the State party to pursue its efforts to review its legislation with a view to increasing the minimum age for marriage of girls to that of boys in order to bring it into full conformity with the provisions and principles of the Convention. It also recommends that the State party set up the same age for the end of compulsory education and for admission to employment.

3. General principles

107. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, or in policies and practices relevant to children at both national and local levels.

108. The Committee recommends that the general principles of the Convention, in particular the provisions of articles 2, 3 and 12, be appropriately integrated into all relevant legislation concerning children and applied in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.

Non-discrimination

109. The Committee is concerned that the principle of non-discrimination (article 2 of the Convention) is not fully implemented for children belonging to minorities not recognized under the Treaty of Lausanne of 1923, in particular children of Kurdish origin; children with

disabilities; children born out of wedlock; girls; refugee and asylum-seeking children; children who are internally displaced; and children living in the south-eastern region and in rural areas, especially with regard to their access to adequate health and educational facilities.

110. The Committee recommends that the State party take appropriate measures to prevent and combat discrimination. It also recommends the collection of appropriate disaggregated data to enable monitoring of discrimination against all children, in particular those belonging to the above-mentioned vulnerable groups, with a view to developing comprehensive strategies aimed at ending all forms of discrimination.

Right to life

111. The Committee is deeply concerned about the violation of the right to life with reference to the practice of "honour killings", prevailing in particular in the eastern and south-eastern regions and among recent immigrants to cities, whereby immediate family members kill women who are suspected of being unchaste, and notes that often both victims and perpetrators are minors.

112. In the light of article 2 (non-discrimination), article 3 (best interests of the child), article 6 (right to life) and article 19 (protection from all forms of violence) of the Convention and in line with Commission on Human Rights resolution 2001/45, with the recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/2001/9, paras. 38-41) and with concluding observations of the Committee on the Elimination of Discrimination against Women (A/52/38/Rev.1, paras. 179 and 195), the Committee strongly recommends that the State party review rapidly legislation with a view to addressing these crimes in an effective way and to eliminating all provisions allowing reductions of sentence if the crime is committed for honour purposes. It also recommends the development and effective implementation of an awareness raising and education campaign, involving also religious and community leaders, to combat effectively discriminatory attitudes and harmful traditions affecting girls, in particular in the eastern and south-eastern regions, by demonstrating that such practices are socially and morally unacceptable. The State party should also provide special training and resources to law enforcement personnel with a view to protecting in a more effective way girls who are in danger of "honour killing" and to prosecuting such cases in an effective way.

Respect for the views of the child

113. While noting a number of initiatives to improve the participation of children, such as the Children's Forum, the Committee is nevertheless concerned that general practices and policies in the country do not encourage the freedom of expression of children and notes that, in practice, in administrative and judicial procedures, children's views are often not heard, even when this is provided for in the legislation.

114. In the light of article 12 of the Convention, the Committee recommends that the State party seek to develop a systematic approach and policy, with the involvement of professionals working with children, in particular teachers and social services, and civil

society, including community leaders and NGOs, to increase public awareness of the participatory rights of children and encourage respect for the views of the child within the family, school, and generally in society. Further, it encourages the State party to recognize the right of children to have their views heard and taken into account in actions taken by social welfare institutions, courts of law and administrative authorities, including at the local level.

4. Civil rights and freedoms

Birth registration

115. The Committee notes with concern that approximately 25 per cent of children under 5 years of age in Turkey are not registered and that these rates are higher in the eastern and south-eastern regions, because parents are unaware of the importance of birth registration and/or have difficult access to registry offices, in particular in rural areas.

116. The Committee recommends that the State party develop more widespread awareness among the population, including through public information campaigns, of the importance of immediate birth registration and improve the registration system in order to reach all families with children, in particular in the eastern region.

Freedom of expression and association

117. The Committee takes note with concern that persons under 18 cannot join associations, including trade unions and non-governmental organizations. It is also noted with great concern that article 13 of the Turkish Civil Code of 1926 stating that children "shall not be entitled to exercise civil rights" does not conform with the Convention, especially its articles 12 to 17.

118. In the light of articles 13 and 15 of the Convention, the Committee recommends that the State party ensure that children can form, join and leave associations freely and, in particular, that young persons who have reached the legal age for being employed can form, join and leave trade unions freely. It further encourages the State party to consider reviewing its legislation in order to guarantee to children their civil rights and freedoms in accordance with the Convention.

Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

119. The Committee is extremely concerned at violations of the right of the child not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment appearing in the number of reported cases of torture and/or ill-treatment of children, especially when placed in pre-trial detention. It further notes that in a number of cases children are held incommunicado when in police or gendarma custody and are not allowed the presence of a lawyer, practices which can provide protection from torture and ill-treatment, and are not interrogated in presence of a prosecutor, as established by law. It also notes with concern that alleged cases of torture against children are not always duly investigated and perpetrators convicted, thus creating a climate of impunity.

120. In the light of article 37 (a) of the Convention and in line with the recommendations of the Special Rapporteur on torture (see E/CN.4/1999/61/Add.1), the Committee strongly recommends that the State party enforce, or, when appropriate, review existing legislation, with a view to preventing children being held incommunicado, and investigate in an effective way reported cases of torture and ill-treatment of children. It also recommends that alleged perpetrators be transferred from active duty or suspended while they are under investigation, and dismissed if convicted. It invites the State party to continue with the systematic training of law enforcement personnel on child rights issues. In the light of article 39, the Committee also invites the State party to take all appropriate measures to ensure the physical and psychological recovery and social reintegration of child victims of torture and/or ill-treatment.

5. Family environment and alternative care

Parental responsibilities

121. While noting as a positive step the recent establishment of Family Consultation Centres in a number of cities, the Committee is nevertheless concerned that there is no appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities, in particular in the case of female headed families.

122. The Committee encourages the State party to undertake effective measures to improve social assistance to families, including through counselling and community-based programmes, and to implement fully the programme of cooperation with UNICEF on enhancing family capacity, in order also to reduce the number of children in institutional care.

Children deprived of family environment

123. The Committee is concerned at the high number of children who live in institutions, half of whom are placed there because of socio-economic problems affecting their families. It notes with concern that these institutions are in some cases in a bad physical state and need adequately trained and competent staff and, therefore, recognizes with appreciation the reorganization of some of these institutions into family units of small groups of children. It also notes that the foster care system is not sufficiently developed and that the law on adoption is too restrictive.

124. The Committee recommends that the State party review the system of institutionalization of children, as well as ensuring, in the light of article 25 of the Convention, the periodic review of children placed in institutions. Further, it recommends that the State party allocate more financial and human resources to improve the situation of children living in institutions. In the light of article 20 of the Convention, it encourages the State party to promote alternative care and further improve the quantity, quality and efficiency of foster care, including by providing sufficient financial support. Further, in the light of article 21, it encourages the State party to review the law on adoptions with a view to facilitating the adoption process.

Child abuse and neglect

125. The Committee expresses its concern about the lack of data, appropriate measures, mechanisms and resources to prevent and combat domestic violence, ill-treatment and abuse, including child sexual abuse and related virginity tests. It notes that societal attitudes towards women and children often mean that these cases are not reported and that when they are reported, the police do not systematically intervene. The limited number of services for abused children is also a cause of concern.

126. In the light of article 19 of the Convention, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse, including sexual abuse, to enable it to understand the extent, scope and nature of these practices, adopt adequate measures and policies, and contribute to changing attitudes. The Committee also recommends that cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, be properly investigated within a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy, and the elimination of virginity tests. Measures should also be taken to provide support services to children in legal proceedings, and for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment and violence, in accordance with article 39 of the Convention.

Corporal punishment

127. The Committee expresses its deep concern that physical punishment in the home is culturally and legally accepted and that only "excessive punishment" resulting in physical injury is prohibited by the Penal Code. It also notes with concern that, although prohibited, corporal punishment is used in schools and other institutions.

128. In the light of articles 3, 19 and 28 (2) of the Convention, the Committee encourages the State party to develop measures to raise awareness of the harmful effects of corporal punishment and promote alternative forms of discipline in families, to be administered in a manner consistent with the child's dignity and in conformity with the Convention. It also recommends that the ban on corporal punishments in schools and other institutions be enforced effectively.

6. Basic health and welfare

Children with disabilities

129. While noting as a positive development the establishment of the Administration of the Disabled as the agency coordinating services, and the removal of some structural obstacles in education, employment and rehabilitation, the Committee remains concerned about the huge number of children with disabilities who are institutionalized and the general lack of resources and specialized staff for these children.

130. The Committee recommends that the State party undertake measures to ensure that the situation of children with disabilities is adequately monitored in order to assess effectively their needs. It also recommends that the State party allocate the necessary resources for programmes and facilities for all children with disabilities, especially those living in rural areas, and develop community-based programmes to enable these children to stay at home with their families. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69), it is also recommended that the State further encourage their inclusion in society and integration into the regular educational system, including by providing special training to teachers and by making schools more accessible.

Health and health services

131. While noting with appreciation that the State party adopted the Integrated Management of Childhood Illnesses (IMCI) and established 35 new Social Service provincial directorates in 2000, and that protocols for cooperation were signed between the Social Services and Child Protection Agencies and non-governmental organizations in order improve services for children at the local level, the Committee is nevertheless concerned that the situation with regard to maternal, child and reproductive health is still poor and that there are great disparities between geographic regions and socio-economic classes. It notes in particular that infant, child and maternal mortality rates and malnutrition rates are particularly high in rural areas of the south eastern region and in poor urban areas. The Committee also notes that the immunization programme does not cover all children in Turkey and that immunization rates are particularly low in the eastern region.

132. The Committee recommends that the State party allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary health care and decentralizing the health-care system. In particular, to prevent child mortality and morbidity, it recommends that adequate antenatal and post-natal health-care services be provided and that campaigns be developed to provide parents with basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation, and the prevention of accidents. The Committee encourages the State party to look to international cooperation for the full and efficient implementation of the immunization programme.

Adolescent health

133. The Committee expresses its concern regarding the high rates of early pregnancy, the rise in the number of children and young people using tobacco and drugs, the increase in cases of sexually transmitted diseases (STDs), in particular syphilis, and the growing numbers of cases of HIV/AIDS among young people. Further, it notes the limited availability of programmes and services in the area of adolescent health, including mental health, in particular treatment and rehabilitation programmes for drug addiction. It also notes the lack of sufficient prevention and information programmes, especially on reproductive health, in schools.

134. The Committee recommends that the State party increase its efforts to promote adolescent health, including mental health, policies particularly with respect to reproductive health and substance abuse and strengthen the programme for health education in schools. The Committee suggests that a comprehensive and multidisciplinary study be undertaken to understand the scope of adolescent health problems, including the negative impact of STDs and HIV/AIDS, in order to be able to develop adequate policies and programmes. It is also recommended that the State party undertake further measures, including the allocation of adequate human and financial resources, to evaluate the effectiveness of training programmes in health education, in particular as regards reproductive health, and to develop youth-sensitive counselling, care and rehabilitation facilities that are accessible without parental consent, when this is in the best interests of the child.

7. Education, leisure and cultural activities

Education

135. The Committee notes with concern the high drop-out rates among girls after the third grade, particularly in rural areas; the decline in the quality of education and the insufficiently participatory teaching methods; the lack of trained personnel and insufficient infrastructure, especially classrooms, in particular in large metropolitan areas and in the south-east.

136. In the light of article 28 of the Convention, the Committee recommends that the State party undertake appropriate measures to ensure regular attendance at school and the reduction of drop-out rates, in particular for girls. It encourages the State party to continue its efforts to introduce pre-school education and to take further steps to ensure the enrolment of children in secondary schools. It also encourages the State party to continue to strengthen the teacher training programme in order to increase the number of trained teachers and improve the quality of teaching and to direct education towards the aims mentioned in article 29.1 of the Convention and the Committee's General Comment on the aims of education.

8. Special protection measures

Refugee children

137. The Committee notes with concern that only asylum-seekers from European countries are granted refugee status, thus child asylum-seekers of non-European origin, who represent the majority, can be granted asylum only on a temporary basis until they find a third country and, therefore, do not always have access to education and health care. It notes that personnel dealing with child asylum-seekers and refugees do not have training on child rights issues, in particular on how to deal with children who are unaccompanied and in cases of family reunification, as well as with children who come from areas affected by war and who may have been victims of traumatic experiences.

138. The Committee encourages the State party to consider withdrawing the geographical limitation on the 1951 Convention relating to the Status of Refugees and

its 1967 Protocol in order to allow non-European child refugees to be granted refugee status. Further it recommends that the State party provide adequate training to officials who deal with child asylum-seekers and refugees, in particular in child-interviewing techniques and on how to ensure family reunification. Also, in accordance with the UNHCR Guidelines on Protection and Care of Refugee Children, it recommends that the State party ensure that every effort is made to identify children who require special support upon their arrival in the State party, and consider providing adequate psychological assistance to them. The Committee further recommends that the State party strengthen measures to allow all child asylum-seekers and refugee children full access to education.

Internally displaced children

139. The Committee expresses its concern at the large number of internally displaced children in Turkey who were forced to leave their home towns in the 1990s owing to the high level of violence in the south-east region. The Committee is also concerned about their limited access to housing, health services and education.

140. In line with the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), the Committee recommends that the State party ensure that internally displaced children and their families have access to appropriate health and education services and adequate housing. Further, it invites the State party to collect data and statistics in order to know how many children are displaced and what their needs are, with a view to developing adequate policies and programmes.

Economic exploitation

141. The Committee takes note of the number of protocols the State party has signed with ILO, in particular that for the promotion of education of working children. However, it expresses its concern that there is not a clear legal minimum age for working children and notes, in this regard, the commission established under the Working Children Department of the Ministry of Labour and Social Security to prepare a draft "Law about the minimum age for work and protective measures for working children", which will cover all children who work. It nevertheless remains worried about the large number of children engaged in labour activities, in particular children working in the fields, domestic workers, children working in small enterprises and children working in the streets, who appear to be less protected by legislation.

142. The Committee recommends that the State party continue to undertake measures to prevent and combat all forms of economic exploitation of children, including commercial sexual exploitation.

Children living in the streets

143. While noting that a number of centres have been established, with the collaboration of non-governmental organizations, to provide counselling, training and rehabilitation services for children living in the streets, the Committee nevertheless expresses its concern at the significant number of such children and notes that assistance is generally only provided to them by non-governmental organizations.

144. The Committee recommends that the State party support existing mechanisms to provide children living in the streets with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to ensure their full development. Moreover, the State party should ensure that these children are provided with rehabilitation services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families.

Juvenile justice

145. The Committee notes as a positive development the proposed extension of competence of juvenile courts from 15 to 18 years of age and the study started by the Ministry of Justice to harmonize the "Law about the formation, duties and procedure of the juvenile courts" with the provisions of the Convention, as well as the establishment of units for child protection within the Security Directorates in every province and sub-district. However, it remains deeply concerned at the major discrepancies between domestic legislation concerning juvenile justice and the principles and provisions of the Convention. In particular, it notes with concern that the minimum legal age for criminal responsibility is 11 and that the Juvenile Courts Law covers children only between the ages of 11 and 14, while children between 15 and 18 are subject to the Penal Law. Further, it also notes with concern that even children between 11 and 14 may not be subject to the Juvenile Courts Law if they are accused of having committed a crime falling under the jurisdiction of State security courts or military courts or if they live in areas under a state of emergency. The fact that detention is not used as a measure of last resort and that cases have been reported of children being held incommunicado for long periods is noted with deep concern. The Committee is also concerned that there are only a small number of juvenile courts and none of them are based in the eastern part of the country. Concern is also expressed at the long periods of pre-trial detention and the poor conditions of imprisonment and at the fact that insufficient education, rehabilitation and reintegration programmes are provided during the detention period.

146. The Committee recommends that the State party continue reviewing the law and practices regarding the juvenile justice system in order to bring it into full compliance with the Convention, in particular articles 37, 40 and 39, as well as with other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), with a view to raising the minimum legal age for criminal responsibility, extending the protection guaranteed by the Juvenile Law Court to all children up to the age of 18 and enforcing this law effectively by establishing juvenile courts in every province. In particular, it reminds the State party that juvenile offenders should be dealt with without delay, in order to avoid

periods of incommunicado detention, and that pre-trial detention should be used only as a measure of last resort, should be as short as possible and should be no longer than the period prescribed by law. Alternative measures to pre-trial detention should be used whenever possible.

147. With reference to children deprived of their liberty, the Committee recommends that the State party incorporate in its legislation and practices the provisions of the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, in particular guaranteeing them access to effective complaints procedures covering all aspects of their treatment, and taking appropriate rehabilitative measures to promote the social reintegration of the children involved with the juvenile justice system. Finally, the Committee recommends that the State party seek assistance from, inter alia, the Office of the High Commissioner for Human Rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Optional Protocols

148. The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

9. Dissemination of documents from the reporting process

149. Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs and children.

Democratic Republic of the Congo

150. At its 705th and 706th meetings (CRC/C/SR.705 and 706), held on 28 May 2001, the Committee on the Rights of the Child considered the initial report of the Democratic Republic of the Congo (CRC/C/3/Add.57) and adopted, at the 721st meeting, held on 8 June 2001, the following concluding observations.

A. Introduction

151. The Committee welcomes the submission of the initial report, which generally followed the guidelines for reporting. The Committee notes that the report contained useful information on implementation of the Convention. The Committee further appreciates the information provided in the written replies and the dialogue that took place with a high-level delegation.

B. Positive aspects

152. The Committee welcomes the State party's indication during the dialogue that its top three priorities with regard to the Convention's implementation are to strengthen legislation, to improve education and to improve health services.

153. The Committee notes, as an important positive step, the issuance of decree No. 066 of 9 June 2000 with regard to the demobilization of children from the armed forces and the establishment of a special bureau to review the implementation of this decree.

154. The Committee welcomes the creation of the National Council for Childhood, the ongoing development of provincial commissions and the creation of the High Commission for Reinsertion. The Committee further welcomes the translation of the Convention into four local languages.

C. Factors and difficulties impeding the implementation of the Convention

155. The Committee notes the negative impact on children of the armed conflict within the State party's territory and the role of numerous actors in this conflict, including the armed forces of several States all party to the Convention, armed groups and numerous private companies, as cited in a United Nations report on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. The Committee notes, in particular, grave violations of the Convention within territory outside of the control of the Government of the State party and where armed elements, including armed forces under the jurisdiction of other States parties to the Convention, have been active. The Committee notes, in addition, that article 38 of the Convention requires States parties to respect provisions of international humanitarian law applicable to them and that, as indicated by United Nations sources (see, inter alia, Security Council resolution 1341 (2001) of 22 February 2001), this law has been violated, particularly with regard to children. In this context, in addition to the responsibility of the State party, the Committee also emphasizes the responsibilities of several other States and certain other actors for the negative impact of the armed conflict upon children and for violations of some provisions of the Convention and international humanitarian law within areas of the State party.

156. The Committee notes further, and in spite of the State party's significant natural resources, the extremely poor economic and social conditions of the vast majority of the population and of the State itself - factors that severely limit the State party's capacity to implement the Convention and to apply laws. The Committee notes, in particular, the State party's indication in its written replies to the Committee's list of issues that 89 per cent of the population lives below the poverty line.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

157. The Committee is concerned at the serious failure to implement existing legislation. The Committee notes, in addition, the State party's acknowledgement in its report that the content and application of specific domestic laws are sometimes inconsistent with the Convention on the Rights of the Child. The Committee is concerned that, among others, the following legal instruments are not fully compatible with the provisions of the Convention: the Family Code, the Labour Code, the Criminal Code, the Criminal Procedure Code, the Civil Code, the Code on Judicial Organization and Competence and the decree of 6 December 1950 with regard to delinquency.

158. The Committee recommends that the State party strengthen its efforts to implement existing legislation relative to the promotion and protection of children's rights. The Committee also strongly recommends that the State party proceed with its efforts to review, and amend as appropriate, domestic legislation to ensure its full conformity with the provisions of the Convention. In this regard, the State party would recommend the adoption of a children's law code that would gather together in one instrument all of the main provisions of domestic legislation of direct relevance to children. The Committee recommends that the State party seek assistance from UNICEF and OHCHR in this regard.

Implementation, national plans of action and monitoring

159. The Committee notes the involvement of various ministries in the Convention's implementation, the development of a national plan of action for the survival, protection and promotion of children and mothers and, more recently, the establishment of a Ministry for Human Rights, and the National Council for Childhood and provincial councils for children. However, the Committee remains concerned at the lack of effective coordination of the activities of these bodies, in particular with regard to the implementation of the Convention and the national plan of action, and the serious lack of resources available to the National Council. The Committee is similarly concerned about the lack of mechanisms to effectively monitor the Convention's implementation.

160. The Committee strongly recommends that the State party take all necessary steps to ensure the effective coordination of activities related to implementation of the Convention, for example by assigning the coordination role to the National Council, along with the necessary authority and budget. The Committee recommends, in addition, that the State party implement its recommendations in paragraphs 217 to 222 of the State party's report and integrate relevant elements into a new, updated plan of action. Furthermore, the Committee recommends that the State party introduce an independent monitoring mechanism for implementation of the Convention, which is accessible to children. Finally, the Committee recommends that the State party seek technical assistance from UNICEF, WHO, ILO and other intergovernmental and non-governmental organizations.

Budget allocation

161. The Committee is deeply concerned at the very low annual budget allocations for health, education and other areas of direct relevance to children and at reports that these budget allocations were not fully disbursed.

162. In the light of article 4 of the Convention, the Committee recommends that the State party raise the proportion of its spending on health, education, social welfare and other priority areas, to the maximum of available resources, with a view to ensuring access to these services for all children and, where needed, within the framework of international cooperation.

Data

163. The Committee is concerned at the absence of up-to-date and accurate data with regard to the Convention's implementation.

164. The Committee recommends that the State party develop and strengthen a data collection system, with a view to including all areas under the Convention. Such a system should cover all children under 18 years of age, including vulnerable groups of children, as a basis for assessing progress achieved in the realization of children's rights and to help design policies for better implementation of the Convention's provisions. The Committee recommends that the State party seek assistance from, among others, UNICEF.

Co-operation with NGOs

165. The Committee notes the collaboration between the State party and some NGOs but remains concerned that cooperation with other NGOs working for children's rights is insufficient. The Committee is deeply concerned in particular by the reported high numbers of arrests and detentions of some NGO staff and the restrictions placed on NGO registration and activities.

166. The Committee urges the State party to prevent all harassment (including arbitrary arrest and detention) of representatives and/or employees of NGOs. The Committee strongly recommends that the State party support and collaborate with NGOs in their activities to improve implementation of the Convention and to facilitate efforts to establish a nationwide coalition of NGOs focusing on the protection and promotion of children's rights. The Committee recommends further that NGOs be involved in the development of policies and programmes implementing the Convention.

Dissemination of the Convention

167. The Committee is deeply concerned that the Convention is insufficiently known and understood among relevant professionals and among the population in general.

168. The Committee urges the State party to initiate a thorough campaign to inform and train professionals - such as teachers, health professionals including psychological care specialists, social workers, law enforcement officials, national ministerial and local government officials with responsibility for children's rights - children and the population in general on the Convention and its principles and provisions. The Committee recommends that the State party adopt measures to ensure that such an information campaign reaches, among others, rural communities, illiterate persons and persons living in parts of the country not currently under the State party's control.

2. Definition of the child

169. The Committee joins the State party (see paragraph 89 of the State party's report) in expressing concern at the low minimum age of criminal responsibility and the young age of criminal majority - currently 16. The Committee expresses concern further at the difference in the minimum age of marriage for girls (15) and boys (18).

170. The Committee recommends that the State party raise the minimum age of criminal responsibility and that the age of criminal majority be raised to 18, ensuring that all persons below age 18 benefit from international juvenile justice standards. The Committee recommends further that the minimum age of marriage of girls be raised to that applicable to boys.

3. General principles

Discrimination

171. The Committee expresses deep concern at the practices of discrimination which continue to affect profoundly many children in the State party, including ethnic and gender discrimination (see, for example, paragraph 91 of the State party's report). The Committee is concerned that legislation does not explicitly prohibit discrimination against children on all of the grounds covered by the Convention in its article 2 and omits, for example, discrimination against children with disabilities.

172. The Committee strongly recommends that the State party urgently identify and address the different causes of discrimination and end all practices of discrimination which affect respect for the Convention. The Committee recommends that domestic legislation prohibiting discrimination be amended to include all the grounds prohibited under the Convention, including discrimination based on disabilities, and that a review be conducted of legislation to amend any provisions which are discriminatory and which have an impact on children. The Committee recommends that the State party continue and strengthen its efforts to end gender discrimination, notably against girls and women. The Committee recommends that the State party use, inter alia, education and human rights promotion to address discriminatory attitudes among the population in general and in changing discriminatory social practices, including through the promotion of the Convention's provisions and the right of women to non-discrimination. The Committee recommends that the State party implement the concluding observations of the Committee on the Elimination of Racial Discrimination (A/51/18, paras. 509-538) and of the Committee on

the Elimination of Discrimination against Women (A/55/38, paras. 194-238). The Committee recommends, finally, that the State party seek assistance from UNICEF and OHCHR.

Right to participation

173. The Committee is concerned that the right of children to participate in decisions which affect them is not respected.

174. In light of article 12 of the Convention, the Committee recommends that the State party increase awareness of the participatory rights of children and further encourage respect for the views of the child within the family, communities, schools, and administrative and judicial systems.

Life, survival and development

175. The Committee is deeply concerned that children's rights to life, survival and development are severely violated within the State party. The Committee is particularly concerned at reports of massive numbers of deaths related to the armed conflict in the east of the State party, and is deeply concerned about practices of infanticide.

176. The Committee strongly urges the State party to take all measures to prevent deaths related to the armed conflict and to prevent infanticide through, inter alia, a peaceful, rapid and conclusive end to the armed conflict, through legislative and judicial means, and through the development and implementation of appropriate policies to assure the rights to life, survival and development of all children.

4. Civil rights and freedoms

Right to a nationality

177. The Committee is deeply concerned that the right to a nationality of some children within the State party, particularly children living in eastern regions of the country and members of certain ethnic groups, is not respected.

178. The Committee urges the State party to ensure that all children, without discrimination, are accorded a nationality and that measures are taken to implement the concluding observations of the Committee on the Elimination of Racial Discrimination on this subject.

Birth registration

179. The Committee is concerned at the very low levels of birth registration in the State party. The Committee joins the State party (see paragraph 76 of the State party's report) in expressing concern that the registration of a child may be hindered by the legal requirement that children be registered only in the area of their regular address and given that many persons have no fixed place of residence.

180. The Committee recommends that the State party continue and strengthen its ongoing efforts to ensure that birth registration is completed for all children, including through suitable amendments to legislation, the introduction of more flexible methods of registration and information campaigns.

Torture and ill-treatment

181. The Committee is deeply concerned that children are regularly the victims of cruel, inhuman or degrading treatment, sometimes constituting torture, committed by, among others, the police, the military, teachers and in the family, and affirms that these acts are violations of children's rights.

182. The Committee strongly urges the State party to strengthen its efforts to address the causes and incidence of torture and cruel, inhuman or degrading treatment of children by, among others, the police, the military, teachers and in the family, to end and prevent these violations of children's rights and to ensure that the persons responsible for these acts are brought to justice. The Committee recommends in addition that the State party consider the possibility of compensation for the victims of torture and other acts.

Freedom of expression and opinion

183. The Committee agrees with the State party (see paragraph 97 of the State party's report) in expressing concern at limitations on children's right to freedom of expression and notes that children have insufficient opportunities to express their opinions and to have these taken into consideration.

184. The Committee recommends that the State party take steps to strengthen respect for children's right to freedom of expression, including through promotion of the Convention's provisions among parents, teachers and children themselves and in State institutions.

5. Family environment and alternative care

185. The Committee agrees with the State party in expressing deep concern that the State seems increasingly to be shifting its duties and responsibilities onto parents and persons effectively or legally responsible for a child's upbringing (see paragraph 121 of the State party's report). The Committee is further concerned at the large numbers of single-parent and child-headed households, by the diminishing role of the extended family and by the negative effect of these changes on respect for children's rights. The Committee is concerned in addition at the increasing practice of "bi-linear" families under which a community leader assumes parental responsibilities for children and that this practice is replacing parents and has a negative impact on children.

186. The Committee urges the State party to identify, within the framework of a coherent family policy, priorities in terms of the assistance required by parents and other guardians in the context of their care for children, and to ensure provision of the necessary

financial and human resources, in particular for single parents and child-headed households. The Committee recommends in addition that attention be given to concerns related to "bi-linear" parenting practices.

Corporal punishment

187. In the context of article 19 of the Convention, the Committee is concerned that the corporal punishment of children is permitted under domestic legislation and continues to be practised in State institutions, including schools and places of detention, and in the family.

188. The Committee recommends that the State party take all appropriate measures, including of a legislative nature, to prohibit and eliminate all forms of corporal punishment in schools and in homes. The Committee further suggests that awareness-raising and education campaigns be conducted to change public attitudes and ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28.2.

Marriage of girls

189. The Committee joins the State party in expressing concern that current legislation and common practice provide insufficient protection to children in the context of early and forced marriage (see paragraph 82 of the State party's report). The Committee is concerned by, inter alia, the early marriage of many girls and by the practice through which an uncle may decide to marry his niece.

190. The Committee recommends that the State party implement measures to ensure that traditional marriage practices, including forced marriages, which are harmful to children are prohibited through, inter alia, the adoption and implementation of appropriate legislation. The Committee recommends that the State party make use of information campaigns to help change practices, particularly in rural communities, and ensure that marriages are registered in all areas of the country.

Separation of parents and care for children

191. The Committee joins the State party in expressing concern (see paragraph 93 of the State party's report) that fathers are favoured by courts when determining which parent should have the care of children, that financial security is often the only criterion referred to by judges in such decisions, and that the best interests of the child are not a primary consideration.

192. The Committee recommends that the State party take steps to guarantee that child custody decisions are made on the basis of the best interests of the child and take due account of a child's views while also ensuring respect for a child's right to maintain contact with parents.

Alternative care, adoption

193. The Committee joins the State party in expressing concern at the practice of "fictitious" care (see paragraph 85 of the State party's report) for children deprived of their parents, as a replacement for genuine adoption, which deprives these children of care and education. The Committee is concerned that mechanisms for the monitoring of respect for the rights of children in institutions and the provision of assistance are inadequate. The Committee is concerned in addition at reports of illegal adoptions, including inter-country adoption.

194. The Committee recommends that the State party undertake measures to ensure greater legal and effective protection of the rights of children deprived of their parents to emotional care and to education and health services, including in the context of informal adoption procedures. The Committee recommends, in addition, that the State party strengthen its mechanisms for the monitoring of respect for the rights of children in need of, and receiving, alternative care assistance. The Committee also recommends that the State party make every effort to ensure that all adoptions comply with international standards and are conducted in the best interests of the child. The Committee recommends further that the State party ratify the Hague Convention on the Civil Aspects of International Child Abduction of 1980 and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

Child abuse and neglect

195. The Committee is concerned about practices of abuse, including sexual abuse, in the family.

196. In light of article 19 of the Convention, the Committee urges the State party to end practices of sexual abuse through, inter alia, monitoring, reporting, use of the criminal justice process to prosecute adults guilty of such abuse, and through information campaigns targeting parents, communities and children. The Committee also recommends that instances of abuse and neglect of children be properly investigated within a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy. Measures should also be taken to provide support services to children in legal proceedings, and for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment and violence, in accordance with article 39 of the Convention.

6. Basic health and welfare

Health

197. The Committee notes with deep concern the poor health situation of children in the State party, the very limited access of most children to adequate health care, including mental health care, and the very high rates of maternal and infant mortality, the high percentage of children suffering from malnutrition, the low level of breastfeeding and the lack of an adequate family

planning policy. The Committee is concerned in particular by weaknesses in the health infrastructure, including a lack of appropriate equipment within many health centres, the limited quality of services and low immunization rates.

198. The Committee recommends that the State party improve the access of children and mothers to health care, including primary and mental health care, continue and strengthen its vaccination campaign, and develop and implement a clear health policy with regard to children including, inter alia, the promotion of breastfeeding, the implementation of adequate family planning programmes and action to reduce and prevent malnutrition. The Committee recommends that the State party seek assistance from UNICEF and WHO in this regard.

Children with disabilities

199. The Committee is deeply concerned at the very high numbers of children with preventable and other disabilities, and the fact that these figures are increasing. Noting the very small number of children with disabilities (as indicated by the State party in its written answers to the Committee's list of issues) who have access to education, the Committee is deeply concerned that the rights of children with disabilities to education, as well as health services are not respected and that they do not receive adequate assistance towards future development. The Committee further joins the State party in expressing concern at the interpretation of disabilities on the basis of certain traditional opinions and that children with disabilities suffer from discrimination as a result of such traditional beliefs (see paragraph 140 of the State party's report). The Committee is also concerned at reports of violence against children with disabilities in State institutions.

200. The Committee recommends that the State party develop and implement measures to guarantee respect for the rights of children with disabilities, including, improving their access to health and education services and vocational training. In addition, the Committee recommends that the State party make every effort to ensure that children with disabilities are not discriminated against, including through the provision of appropriate education for parents, teachers, children and members of the population in general. The Committee recommends that the State party strengthen mechanisms to protect children with disabilities and living in institutions from acts of violence. The Committee recommends that the State party provide assistance to NGOs working on behalf of children with disabilities and promote coordination of their activities. The Committee recommends that the State party take note of, and strengthen its efforts through, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69). The Committee recommends that the State party seek technical assistance from, among others, WHO and UNICEF.

HIV/AIDS

201. The Committee is deeply concerned at the very high number of children affected by HIV/AIDS through, inter alia, direct infection, including mother-to-child transmission, or following the illness or death of a parent. The Committee is also concerned at provisions in the Criminal Code banning contraception given the growing need to prevent transmission of HIV/AIDS.

202. The Committee recommends that the State party make every effort to reduce the incidence of HIV/AIDS by preventing its transmission among the population through, inter alia, the procurement of suitable medication, a review of legislation, including the repeal of article 178 of the Criminal Code and suitable prevention campaigns. The Committee recommends further that the State party provide assistance to children and their families affected by HIV/AIDS. The Committee recommends that assistance be sought from UNICEF and WHO in this regard.

Adolescent health

203. The Committee notes with deep concern the decline in access to health services, including mental and reproductive health services, for adolescents and the lack of information on adolescent health problems. The Committee is concerned at levels of HIV/AIDS among adolescents, sexually transmitted diseases and reports of high levels of early pregnancy.

204. The Committee recommends that the State party strengthen its efforts to provide adolescents with easy and adequate access to all child-friendly health care services they may need, including mental and reproductive health services, and make an assessment of adolescent health problems in order to develop and implement a comprehensive policy in this regard. The Committee recommends that the State party seek assistance from UNFPA, WHO and UNICEF.

Harmful traditional practices

205. The Committee is concerned at:

(a) The practice of female genital mutilation in some areas;

(b) Food taboos such as that which forbids children and mothers from eating certain essential food items.

206. The Committee recommends:

(a) In light of article 24 of the Convention, that the State party prohibit, and take action to end, the practice of female genital mutilation and raise awareness of its harmful effects;

(b) That the State party eliminate harmful food taboos, inter alia, by promoting awareness about their detrimental effects on the health of children and women;

(c) That the State party seek assistance from WHO and UNICEF in this regard.

Standard of living/social security

207. The Committee is concerned that the overall standard of living of many children is very poor, in particular with regard to access to clean water, food, adequate housing and sanitation. The Committee is concerned in addition that current social security provisions cover only a very small proportion of the population and that the parents and children most in need of such assistance are not covered by social security.

208. The Committee recommends that the State party take steps to improve the standard of living of children, giving particular attention to water, food, housing and sanitation concerns. The Committee recommends that the State party consider ways of extending social security coverage to a much broader proportion of the population and of ensuring the access of all children to social welfare assistance.

7. Education, leisure and cultural activities

209. The Committee is deeply concerned that the education objectives of the 1992 Plan of Action for the Survival and Protection of Mothers and Children are far from being achieved. The Committee is greatly concerned at the high numbers of children who never attend school or who drop out early from their formal education. The Committee is further concerned that law 86/005 of 29 September 1986 relative to national education has not yet entered into force, with a negative impact on children's access to education. In addition, the Committee is concerned that in practice primary education is not free and that many parents have to pay school fees as well as related costs such as for uniforms and equipment, which remain too expensive for most families. While noting the efforts made by the State party, the Committee nevertheless remains deeply concerned at the low rate of school enrolment of girls, their high drop-out rate and also the high female illiteracy rate, especially in rural areas. The Committee is also concerned that some girls are the victims of sexual harassment by teachers. The Committee is concerned that school infrastructure and equipment are very inadequate, that the quality of education is poor, that teachers are not well trained, and that some students are required to pay teachers for their grades.

210. The Committee urges the State party to adopt and implement legislation establishing a minimum age for the completion of compulsory education and providing for genuinely free primary and, as far as possible, secondary education, with emphasis on assisting children from the most disadvantaged backgrounds. The Committee recommends that the State party implement measures to increase enrolment of children in school and reduce the drop-out rate. The Committee recommends that the State party strengthen efforts to improve the access of girls to education, including by establishing specific programmes to reduce female illiteracy and information campaigns promoting this right. The Committee recommends that the State party implement measures to end the sexual harassment of girls in school. The Committee recommends that the State party pursue

efforts to improve the quality of education and strengthen educational infrastructure throughout the State party, including through improvements to teacher training, the introduction of human rights education and education for peace, building additional classrooms and more schools, and by providing free transport to schools for children who live far away. The Committee recommends that the State party seek assistance from UNICEF and UNESCO in this regard.

8. Special protection measures

Refugees and internally displaced persons

211. While recognizing the State party's assistance to very large numbers of refugees, the Committee remains deeply concerned at grave violations of the rights of refugee children and their families and, in particular, at allegations of widespread massacres of tens of thousands of refugees, particularly during 1997, in the eastern region of the State party and the State party's lack of cooperation with, and obstruction of, efforts by the United Nations investigative mission mandated to clarify such allegations. The Committee is concerned that the situation of refugee children and their families within the State party is poor. The Committee is deeply concerned in addition at the very high number of children and their families internally displaced within the State party as a result of the armed conflict. The Committee is concerned at, inter alia, the separation of children from their families and the very limited access of displaced children to adequate food and to health and education services.

212. The Committee recommends that the State party strengthen its efforts to provide adequate assistance to refugees and that every effort be made to prevent all forms of violence against refugee and internally displaced children and to investigate and seek justice with regard to allegations of massacres of refugee children and their families. The Committee recommends that the State party urgently implement measures to protect civilian populations from further internal displacement, to ensure that those children and their families who have already been displaced have access to food, education and health assistance, and to support the return home of internally displaced populations and their reintegration into their communities. The Committee recommends that the State party make every effort to respect and implement the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2). Noting the ongoing efforts, the Committee urges the State party to continue to give particular attention to strengthening family reunification efforts. The Committee recommends that the State party work closely with UNHCR and UNICEF in this regard.

Children in armed conflict

213. The Committee is deeply concerned at the direct and indirect impact of the armed conflict on almost all children in the State party. The Committee is concerned at the deliberate killing of children by armed forces of the State party, armed forces of other State parties that have participated in the conflict and by other armed groups, and by the continuing impunity for such acts constituting very serious violations of children's rights. The Committee is concerned

at, inter alia, the recruitment and use of children as soldiers by the State party and by other actors in the armed conflict, including children under 15. The Committee notes with appreciation the creation of a special bureau for the demobilization and reintegration of child soldiers (DUNABER), but is concerned about the effectiveness of this bureau.

214. The Committee urges the State party to strengthen its efforts to end the armed conflict and to ensure that the protection and promotion of children's rights are given due consideration in the ongoing peace process. The Committee urges the State party to prevent the killing or other forms of harm of children and to ensure that those persons responsible for committing such acts are prosecuted. The Committee further urges the State party to prevent the participation of children in armed conflicts and to end entirely their recruitment, including cross-border recruitment, and use as soldiers, and to make additional efforts to demobilize and reintegrate present and former child soldiers into their communities and to provide for their psychological recovery. The Committee recommends that DUNABER be provided with sufficient human and financial resources to effectively demobilize and reintegrate children in society and to provide the necessary follow-up.

Child labour

215. The Committee joins the State party in expressing concern at the prevalence of child labour, especially in informal sectors which frequently fall outside the protections afforded by domestic legislation (see paragraph 87 of the State party's report). The Committee is deeply concerned at the use of children to work in the Kasaï mines, in locations in Lubumbashi and in other dangerous work environments.

216. The Committee recommends that the State party make every effort to end child labour, including through the dissemination of children's rights to employers, parents, the public in general and to children themselves. The Committee recommends, in particular, that the State party implement measures to enforce domestic legal protections in both the formal and informal work sectors, including in mines and other harmful environments, and that help be sought from ILO and UNICEF in this regard. The Committee notes the State party's commitment to complete ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and recommends that this process be completed, and that the State party also ratify ILO Convention No. 138 concerning the Minimum Age for Admission to Employment.

Trafficking/sexual exploitation

217. The Committee is deeply concerned by information, including for example in the State party's report, of the trading, trafficking, kidnapping and use for pornography of young girls and boys within the State party, or from the State party to another country, and that domestic legislation does not sufficiently protect children from trafficking.

218. The Committee strongly recommends that the State party take urgent measures to end the sale, trafficking and sexual exploitation of children through, inter alia, the adoption and implementation of appropriate legislation and the use of the criminal justice process to

sanction those persons responsible for such practices. The Committee recommends that the police force and border officials receive special training to help in combating the sale, trafficking and sexual exploitation of children, and that programmes be established to provide assistance, including health care and rehabilitative and social reintegration assistance, to the child victims of sexual exploitation. The Committee recommends that the State party take into account the recommendations formulated in the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children held in Stockholm in 1966 and raise the age for protection against commercial sexual exploitation to 18 years. The Committee recommends that the State party seek technical assistance from UNICEF in this regard.

Children living in and/or working on the street

219. The Committee is concerned at the high number and difficult situation of children living in and/or working on the street. The Committee is concerned at, inter alia, the lack of access of these children to food and health and education services and the exposure of these children to several risks, including those related to substance abuse, violence, sexually transmitted illnesses and HIV/AIDS. The Committee is concerned in addition at the tendency of the criminal justice system to treat these children as delinquents.

220. The Committee urges the State party to strengthen its assistance to children living in and/or working on the street, by inter alia, studying the causes and implementing preventive measures and improving the protection of children already in this situation, including through the provision of education, health services, food, adequate shelter and programmes to assist children to leave street life. The Committee urges the State party to ensure that children living/working on the street are not treated as delinquents for acts such as their presence in the street or begging.

Substance abuse

221. The Committee is concerned at the numbers of children abusing substances, such as by inhaling solvents and using cannabis.

222. The Committee recommends that the State party implement measures to prevent substance abuse by children, including through preventing the sale of such substances to children and addressing factors leading to vulnerability. The Committee recommends that the State party, inter alia, pursue its efforts to use information campaigns to alert children and adults to the risks of substance abuse (see paragraph 202 of the State party's report) and that the child victims of substance abuse be provided with appropriate care, rehabilitation and assistance towards their social reintegration.

Juvenile justice

223. The Committee joins with the State party in expressing serious concern at the overall application of juvenile justice, the need for a review of domestic legislation with regard to juvenile justice, and concern that decisions affecting children are taken by judges with insufficient knowledge of children's rights (see, for example, paragraphs 94 and 185 of the State

party's report). The Committee is concerned in addition at the ordering of the detention of minors by judicial police officers in contravention of the State party's judicial procedures (see paragraph 186 of the State party's report). The Committee is further concerned at the limited number of sanctions available to judges and the consequent overemphasis on deprivation of liberty as a sanction. The Committee is concerned at the very poor conditions of detention and reports of the ill-treatment of children. The Committee is deeply concerned that children aged 16 and 17 are considered to be adults for the purposes of criminal responsibility. Further, the Committee expresses its concern that children aged 16 or above can, and have been, sentenced to the death penalty and, while acknowledging the presidential pardon recently accorded to children sentenced to death, the Committee notes that such a sentence is a violation of Convention article 37 (a). The Committee is further concerned that child civilians and child soldiers are brought before military courts and that such courts do not guarantee international judicial protections, such as the right to appeal.

224. Noting the State party's ongoing efforts, the Committee recommends the implementation of a comprehensive reform of the administration of juvenile justice. The Committee recommends, in particular, that the State party adopt appropriate amendments to its domestic legislation with regard to juvenile justice, with a view to ensuring full compliance with international standards and in particular articles 37, 40 and 39 of the Convention, as well the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines). The Committee recommends that the State party provide appropriate training for, among others, judges and lawyers. In particular, the Committee recommends that the State party proceed with its intention, as described in paragraph 185 of its initial report, to broaden the range of possible sanctions so that deprivation of a child's liberty is used only as a measure of last resort. The Committee recommends that improvements be made to conditions in places of detention and imprisonment in which children are held. The Committee urges the State party to guarantee the application of juvenile justice provisions to all persons aged under 18, in accordance with international standards. In particular the Committee urges the State party to ensure respect for article 37 (a) of the Convention and that no persons under 18 is sentenced to the death penalty or life imprisonment without possibility of release. The Committee urges the State party, in keeping with its ban on the recruitment of children as soldiers, to ensure that no child is tried by a military tribunal.

Ratification of the Optional Protocols

225. Noting the State party's signature of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Committee recommends that the State party proceed with the ratification of this instrument, as well as of the Optional Protocol on the sale of children, child prostitution and child pornography.

Dissemination of documentation

226. The Committee is concerned that the State party has not disseminated its initial report to the Committee widely and that public access to the report has not been easy.

227. In light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and the written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including non-governmental organizations.

Guatemala

228. The Committee considered the second periodic report of Guatemala (CRC/C/65/Add.10), submitted on 7 October 1998, at its 707th and 708th meetings (CRC/C/SR.707 and 708), held on 29 May 2001, and adopted, at the 721st meeting, held on 8 June 2001, the following concluding observations.

A. Introduction

229. The Committee welcomes the submission of the State party's second periodic report, which follows the guidelines for reporting, and of the written replies to its list of issues (CRC/C/Q/GUA.2). It further notes with appreciation the high-ranking delegation sent by the State party and welcomes the frank dialogue and the positive reactions to the suggestions and recommendations made during the discussion.

B. Follow-up measures undertaken and progress achieved by the State party

230. The Committee notes with satisfaction that for the preparation of the second periodic report the State party carried out a consultative process with representatives of civil society, including non-governmental organizations.

231. The development of a Master Plan of Operations for 1997-2001 by the SEGEPLAN (the National Economic Planning Council of the Guatemalan Government) and UNICEF in order to support and implement activities to improve the living conditions of women and children is welcomed by the Committee.

232. In the light of its previous recommendation (CRC/C/15/Add.58, para. 33), the Committee welcomes the creation of a National Commission against Child Abuse (CONACMI) and the holding of two National Campaign against Child Abuse in 1996 and 1998.

233. The Committee welcomes the establishment of the Advisory Committee on Educational Reform for the modification of curriculum content to help eradicate stereotypes and discrimination based on sex, ethnic and social origin, or poverty, and the programme for girls, linked to the National System for the Improvement of Human Resources and Curricula established by the Ministry of Education to develop a gender methodology and an intercultural approach in curricula, textbooks and educational material, as follow-up measures to its previous recommendation in that domain (ibid., para. 30).

234. The Committee notes with interest the Education Programme for Working Children and Adolescents (PENNAT) to assist children who work in markets, parks, and the streets in both urban and rural areas.

235. The Committee welcomes the initiative taken by those working in the juvenile justice system to develop unified criteria to be applied in the administration of juvenile justice in the absence of a common system. It further welcomes the implementation in 2000 of a Programme on Probation as a follow-up measure to its recommendation in this regard (ibid., para. 40).

C. Factors and difficulties impeding progress in the implementation of the Convention

236. The Committee, while noting significant progress since the signing of the final peace agreement on 29 December 1996, is concerned that the State party still faces many difficulties in the implementation of the Convention, due in particular to the legacy of poverty and authoritarian rule, as well as to human rights violations and impunity resulting from more than 30 years of armed conflict. Of particular concern to the Committee is the recent information that there are signs that the human rights situation is deteriorating. It also notes the serious economic and social disparities affecting most of the population, in particular indigenous people.

D. Principal areas of concern and recommendation

1. General measures of implementation

Legislation

237. The Committee is deeply concerned that the entry into force of the Children and Adolescent Code of 1996 was postponed several times and, on 24 February 2000, was suspended indefinitely by Congress Decree No. 4-2000. Concern is also expressed that some of the provisions of a new draft Children Code introduced in Congress in October 2000 are not in conformity with the Guatemalan Constitution and the Convention, as the Government itself noted in its written response to the list of issues. The Committee is encouraged that, according to information provided during the dialogue with the State party delegation, the Congress and civil society are engaged in negotiations and discussions about the drafting of a Children's Code which is in conformity with the Constitution and the Convention.

238. The Committee, in line with its previous recommendation (ibid., para. 25), strongly recommends that the State party support as much as possible the process to draft a new Children and Adolescent Code that is in full conformity with the principles and provisions of the Convention, expedite its approval by Congress, and ensure its enactment and full implementation as soon as possible. This new code should make a clear distinction, in terms of judicial procedures and treatment, between children in need of care and protection and those in conflict with the law, and should therefore not be based on the doctrine of "irregular situation".

Coordination

239. The Committee is concerned at the inadequate coordination within government agencies, both at the national and local levels, as well as between government agencies and non-governmental organizations working in the field of children's rights. Further, it notes with concern that the bodies designated to carry out these tasks, i.e. the National Children's Council at national level and the departmental and municipal Children's Councils at local level, were not established because the Children and Adolescent Code did not enter into force. It is also noted that another coordinating body, the Commission for the Convention on the Rights of the Child (PRODEN), had to scale down its activities due to a cut in its resources.

240. The Committee reiterates its previous recommendation to the State party for a permanent and multidisciplinary mechanism to be developed for coordinating and implementing the Convention at the national and local levels, including the establishment of various mechanisms at all levels to ensure the effective decentralization of the implementation of the Convention, and for the promotion of close cooperation with non-governmental organizations (ibid., para. 27). Further, it recommends the allocation of adequate financial and human resources to existing bodies working in the field of children's rights.

Allocations of budgetary resources

241. While noting the information that there has been an increase in budgetary allocations for children, the Committee nevertheless reiterates its concern that these allocations are not sufficient to respond to national and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between the regions and rural/urban areas with respect to services provided to children (ibid., para. 31). Further, it notes with deep concern that, according to data provided in the State party's report, 88.9 per cent of the population aged between 0 and 14 live in a state of poverty.

242. In light of article 4 of the Convention, the Committee encourages the State party to strengthen its efforts to reduce poverty among children and to identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated "to the maximum extent of ... available resources and, where needed, within the framework of international cooperation" for the full implementation of the economic, social and cultural rights of children, in particular with respect to local governments and for children belonging to the most vulnerable groups in society. It further recommends that the State party identify the amount and proportion of the budget spent on children at the national and local levels in order to evaluate the impact and effect of the expenditures on children. The State party is encouraged to seek international cooperation and technical assistance in this regard.

Data collection

243. The Committee notes that measures were taken by the State party in line with its recommendation (ibid., para. 28), such as the establishment of a social indicator system in the National Statistical Institute and the conducting of the National Survey on Maternal and Child Health in 1999. It nevertheless expresses its concern that the collection of data is still focused on health and education and does not include all areas covered by the Convention.

244. The Committee recommends that the State party continue to develop a system to collect data and indicators reflecting the provisions of the Convention, disaggregated by gender, age, indigenous and minority groups, urban or rural area. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children belonging to indigenous groups; child victims of abuse, neglect, or ill-treatment; children with disabilities; children who are displaced; children in conflict with the law; children who work; children who are sexually exploited for commercial purposes; adopted children and children living in the streets and in rural areas. It further encourages the State party to use these indicators and data for the formulation of policies and programmes for the effective implementation of the Convention.

Dissemination and training

245. The Committee recognizes that material on the promotion of human rights was disseminated by both governmental agencies and non-governmental organizations, but it notes that these measures need to be strengthened, in particular in rural areas and among indigenous children.

246. The Committee recommends that the State party increase its efforts to translate informative material into the main indigenous languages and that it develop more creative methods to promote the Convention, including through audio-visual aids such as picture books and posters, in particular at the local level. The Committee also recommends adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators and health personnel. The State party is encouraged to fully integrate the Convention into the curricula at all levels of the educational system. It is suggested that the State party seek technical assistance from, among others, UNICEF, UNESCO and OHCHR.

Civil society

247. The Committee, while noticing examples of collaboration between governmental institutions and non-governmental organizations, such as within PRODEN, it nevertheless notes that cooperation with non-governmental organizations should be further promoted and reinforced. Concern is also expressed that some non-governmental organizations working with children have lately been subjected to threats and assaults.

248. The Committee reiterates its recommendation (ibid., para. 27) to encourage the promotion of closer cooperation with non-governmental organizations for the coordination and implementation of the Convention at the national and local levels and in urban and rural areas. It strongly recommends that the State party effectively investigate and prosecute cases of threats and assaults against non-governmental organizations working with and for children and take the necessary measures to prevent such actions.

2. Definition of the child

249. The Committee reiterates its concern about the disparity between the legal minimum age for admission to employment (14 years) and the age for the end of compulsory education (15 years). Further, it notes that, in line with its recommendation (ibid., para. 26), a proposal to set the minimum legal age for marriage for both boys and girls at 16 was introduced in Congress but was never considered.

250. In light of articles 1 and 2 and other related provisions of the Convention, the Committee reiterates its recommendation that the State party pursue its efforts to review its legislation with a view to increasing the minimum age of marriage for girls to that for boys in order to bring it into full conformity with the provisions and principles of the Convention. It further recommends that the State party redefine the minimum age for admission to employment so that it corresponds to the age at which compulsory education ends.

3. General principles

251. The Committee is concerned that the principles of non-discrimination (art. 2 of the Convention), best interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

252. The Committee recommends that the State party appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health and welfare institutions, courts of law and administrative authorities.

Non-discrimination

253. The Committee is concerned that the principle of non-discrimination (art. 2) is not fully implemented for children belonging to indigenous groups; urban and rural poor children, girls, children with disabilities, and displaced children, especially with regard to their access to adequate health and educational facilities.

254. The Committee recommends that the State party take all the necessary measures to end discrimination. In this respect, the State party is encouraged to monitor

discrimination against children, in particular those belonging to the above-mentioned vulnerable groups, and to develop, on the basis of the results of such monitoring, comprehensive strategies for implementing specific and well-targeted actions aimed at ending all forms of discrimination.

4. Civil rights and freedoms

Birth registration

255. The Committee notes with concern that a large number of children, in particular girls in rural and poor urban areas, are not registered because of distance from registry offices or because parents are unaware of the importance of the procedure for birth registration.

256. In light of article 7 of the Convention, the Committee recommends that the State party develop more widespread awareness among the population of the importance of birth registration and improve the registration system so that it reaches all people, in particular those in rural areas.

Torture, or other cruel, inhuman or degrading treatment or punishment

257. The Committee is deeply disturbed by information that violence against children is increasing. In particular, it notes with great concern that many children fear for their lives because they are continually threatened and are victims of violence, notably when they are living and/or working in the street but also when they are at home. Of particular concern to the Committee is the alleged involvement of the State Civil Police in some of the alleged cases of violence and the lack of proper investigation of these cases by Guatemalan authorities.

258. The Committee recommends that the State party take, as a matter of the highest priority, all the necessary steps to prevent these serious violations of children's rights and to ensure that they are properly investigated and that those responsible are brought to justice. In light of article 39, the Committee also invites the State party to take all appropriate measures to ensure the physical and psychological recovery and social reintegration of child victims of torture and/or ill-treatment and to provide adequate compensation. The State party is invited to seek international cooperation in this regard.

5. Family environment and alternative care

Parental responsibilities

259. The development of initiatives such as the Plan of Action for Social Development and Peacebuilding 1996-2000, which had among its priorities the strengthening of the family, schooling for parents and the Comprehensive Care Programme for Children under Six (PAIN), are positive measures in line with the Committee's recommendation (ibid., para. 38). The Committee is, however, concerned that such programmes have had little impact in view of the number of children and parents who need this support.

260. In light of article 18 of the Convention, the Committee reiterates its recommendation that the State party improve social assistance to families to help them with their child-rearing responsibilities, including through counselling and community-based programmes, as a means of reducing the number of children in institutional care. The Committee recommends that the State party seek international assistance from, among others, UNICEF.

Adoption

261. The Committee notes with deep concern that there was no follow-up to its recommendations (ibid., para. 34) to introduce measures to monitor and supervise the system of adoption effectively and to consider ratifying the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993. Concern is expressed at the extremely high rates of intercountry adoptions, at adoption procedures not requiring authorization by competent authorities, at the absence of follow-up and, in particular, at reported information on sale and trafficking in children for intercountry adoptions. It is also noted that several drafts of adoption laws have been pending in Congress but never adopted.

262. In light of article 21 of the Convention and in line with the recommendations of the Special Rapporteur on the sale of children, child prostitution and child pornography (see E/CN.4/2000/73/Add.2) and of the United Nations Verification Mission in Guatemala (MINUGUA), the Committee strongly recommends that the State party suspend adoptions in order to take the adequate legislative and institutional measures to prevent the sale and trafficking of children and to establish an adoption procedure which is in full compliance with the principles and provisions of the Convention. It further reiterates its recommendation to ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

Abuse and neglect

263. The adoption of the Act on the Prevention, Punishment and Eradication of Domestic Violence in 1996, the creation of CONACMI and the conducting of national campaigns against child abuse are positive measures in line with the Committee's recommendation (ibid., para. 33). However, concern is expressed at the lack of data and appropriate measures, mechanisms and resources to prevent and combat domestic violence, including child physical and sexual abuse, and neglect and at the limited number of services for abused children, in particular in rural areas.

264. In light of article 19 of the Convention, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse, including sexual abuse, in order to understand the extent, scope and nature of these practices, adopt and effectively implement adequate measures and policies, and encourage changes in attitudes. The Committee also recommends that cases of domestic violence and ill-treatment and abuse of children, including sexual abuse within the family, be properly investigated within a child-sensitive inquiry and judicial procedure in order to ensure better protection of child victims, including the protection of their right to privacy. Measures should also be taken to provide support services to children in legal proceedings, and for the physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect,

ill-treatment and violence, in accordance with article 39 of the Convention. The Committee recommends that the State party seek, in this regard, international cooperation and technical assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Children with disabilities

265. The Committee, while taking note of the Act on the Provision of Services for Persons with Disabilities of 1996 and the establishment of a National Network for Support to Disabled Persons which has also established departmental links in the interior of the country, is nevertheless concerned that discrimination against children with disabilities still occurs and that parents are often unaware of their children's rights. Further, it is concerned about the huge number of children with disabilities who are institutionalized and the general lack of resources and specialized staff for these children.

266. In light of article 23 of the Convention, the Committee recommends that the State party undertake measures to ensure that the situation of children with disabilities is monitored in order to effectively assess their situation and needs, and to conduct public awareness campaigns in all languages, in particular indigenous ones, to raise awareness of the situation and rights of children with disabilities. It further recommends that the State party allocate the necessary resources for programmes and facilities for all children with disabilities, especially those living in rural areas, and develop community-based programmes to enable them to stay at home with their families. Also, support programmes for parents of children with disabilities are recommended, including counselling and, when necessary, financial assistance. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69), it is also reiterated (ibid. para. 38) that the State party should further encourage the integration of disabled children into the regular educational system and their inclusion in society, including by providing special training to teachers and by making schools more accessible. The Committee recommends that the State party seek technical assistance from, among others, WHO.

Health and health services

267. Measures such as the launching of a Comprehensive Health Care System (SIAS), the Friendly Hospitals initiative, a national plan for the reduction of maternal and perinatal mortality and a national mother and child programme are positive steps. However, the Committee is concerned that the health standard of the children living in Guatemala, especially children living in the rural areas and in poor urban areas, is inadequate. It notes in particular the high infant mortality rates due, inter alia, to nutritional deficiencies, lack of sanitation facilities and limited access to preventive and curative health services, with wide differences between urban and rural areas and between the different ethnic groups; the Committee also notes the high maternal mortality rates, due largely to a high incidence of illegal abortion.

268. In light of article 24 of the Convention, the Committee recommends that the State party allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary-level care and decentralizing the health care system. In particular, to prevent child mortality and morbidity and to address the high maternal mortality rate, the Committee recommends the provision of adequate antenatal and postnatal health care services and the development of campaigns to provide parents with basic knowledge about child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation, family planning and reproductive health. The Committee encourages the State party to look to international cooperation for the full and efficient implementation of the immunization programme. Further, it recommends to the State party to seek technical assistance from, among others, WHO, UNICEF and UNFPA.

Malnutrition

269. The Committee notes that the State party has implemented a number of food and nutrition programmes for children in schools such as the "Happy Heart" programme, as also recommended (ibid., para. 36). However, by noting the high rates of both chronic and severe malnutrition still affecting in particular children under five in rural areas, especially those belonging to indigenous groups, the Committee expresses its deep concern that there are no governmental policies to reduce and combat malnutrition among babies and children under five.

270. The Committee reiterates its recommendation that the State party develop a comprehensive nutritional programme in order to prevent and combat malnutrition, in particular among children under five (ibid., para. 36), and assess the impact of the programme on those affected, with a view eventually to improving its effectiveness. The Committee recommends that the State party seek international cooperation from, among others, UNICEF and WHO.

Adolescent health

271. The Committee expresses its concern regarding the high rates of early pregnancy, the rise in the number of children and youths using drugs, the increase in cases of sexually transmitted diseases (STDs), in particular syphilis, and the growing number of cases of HIV/AIDS among youths. Further, it notes the limited availability of programmes and services in the area of adolescent health, including mental health, and the lack of sufficient prevention and information programmes in schools, especially on reproductive health.

272. The Committee recommends that the State party increase its efforts to promote adolescent health policies, including mental health, particularly with respect to reproductive health and substance abuse, and strengthen the programme of health education in schools. The Committee further suggests that a comprehensive and multidisciplinary study be undertaken to understand the scope of adolescent health problems, including the negative impact of STDs and HIV/AIDS, in order to be able to develop adequate policies and programmes. It is also recommended that the State party undertake further measures, including the allocation of adequate human and financial resources, to evaluate the effectiveness of training programmes in health education, in

particular as regards reproductive health, and to develop youth-sensitive and confidential counselling, care and rehabilitation facilities that are accessible without parental consent when this is in the best interests of the child. The Committee encourages the State party to seek additional technical cooperation from, among others, UNFPA, UNICEF, WHO and UNAIDS.

7. Education, leisure and cultural activities

Education

273. While noting with appreciation the number of national efforts undertaken to extend the coverage and improve the quality of the school system, particularly at the pre-school and primary levels and with special attention paid to girls, the Committee is nevertheless concerned about the high repetition and drop-out rates, the high pupil-teacher ratio and the high incidence of absenteeism, truancy and over-age pupils. Further, it notes with concern that bilingual education is offered only in a limited number of indigenous languages and only at pre-school level and in the first three grades of primary schooling.

274. In light of articles 28 and 29 of the Convention, the Committee recommends that the State party undertake appropriate measures to increase budgetary allocations for education, ensure regular attendance at schools and the reduction of drop-out rates, and strengthen the quality of education in order to achieve the goals stated in article 29.1, in line with the Committee's General Comment No. 1 on the aims of education (CRC/C/GC/2001/1). It also reiterates its recommendation (ibid., para. 37) that the State party should continue to strengthen the teacher training programme in order to increase the number of trained teachers and improve the quality of teaching and the bilingual education programme. In this respect, the Committee encourages the State party to seek additional technical cooperation from, among others, UNESCO and UNICEF.

8. Special protection measures

Children affected by armed conflict

275. The Committee notes that the State party launched an action plan for the psychological rehabilitation of children affected by the armed conflict based on a preventive programme with community participation, as previously recommended by the Committee (ibid., para. 39). However, it expresses its concern at the lack of professional staff prepared to work in these communities and at the insufficient number of services to meet demand. It also notes with concern that a large number of children were internally displaced or forcibly disappeared during the armed conflict and that the State party did not investigate these disappearances effectively.

276. In light of article 39 of the Convention, the Committee recommends that the State party consider complying with the recommendations of the Truth Commission regarding a national reparation programme that would also include children affected by the internal armed conflict, and that it effectively investigate all cases of children who were forcibly disappeared by allocating human and financial resources to and cooperating with the National Commission for Searching for Disappeared Children. Further, the Committee

recommends that the State party strengthen its efforts to implement the Programme to Support Resettlement of Displaced Groups and to ensure adequate protection to internally displaced children, paying special attention to the problem of lack of identification papers. The Committee encourages the State party to continue its international cooperation programmes with, among others, UNDP, UNHCR and UNCHS (Habitat).

Economic exploitation

277. With regard to its recommendation on child labour (ibid., para. 39), the Committee takes note of the measures taken by the State party such as the signing in 1996 of a memorandum of understanding with ILO for the adoption of the International Programme on the Elimination of Child Labour (IPEC). However, it expresses its deep concern at the large number of children who are still exploited economically, in particular those under 14 years of age.

278. In light of article 32 of the Convention and in line with its previous recommendation (ibid., para. 41), the Committee reiterates that the State party should continue to enforce and strengthen its legislation protecting working children and to combat and eradicate as effectively as possible all forms of child labour, in cooperation with ILO/IPEC.

Sexual exploitation

279. While noting that the National Plan against Sexual and Commercial Exploitation is in the final stages of elaboration, the Committee expresses its deep concern that, with regard to the increasing phenomenon of commercial sexual exploitation of children, in particular girls, there are no data available, legislation is inadequate, cases involving sexually exploited children are often not investigated and prosecuted, and no rehabilitation programmes are available.

280. In light of article 34 of the Convention and in line with the recommendations of the Special Rapporteur on the sale of children, child prostitution and child pornography (see E/CN.4/2000/73/Add.2), the Committee recommends that the State party expedite the adoption of the National Plan against Sexual and Commercial Exploitation, taking into account the Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, and undertake a study on this issue in order to understand its scope and causes, to enable effective monitoring of the problem and to develop the necessary measures and programmes to prevent, combat and eliminate it. The Committee invites the State party to seek international cooperation in this regard.

Children living in the streets

281. The Committee expresses its concern at the significant number of children living in the streets and notes that assistance to these children is provided mainly by non-governmental organizations. In light of article 6 of the Convention, serious concern is expressed at allegations of rape, ill-treatment and torture, including murder for the purpose of "social cleansing", of children living in the streets.

282. The Committee recommends that the State party expedite the adoption of a National Plan for the Care of Street Children and ensure that children living in the streets

are provided with nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development. Moreover, the State party should ensure that these children are provided with rehabilitation services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families. The Committee encourages the State party to seek additional international cooperation from, among others, UNICEF and WHO.

Juvenile justice

283. The Committee expresses its serious concern that its previous recommendation encouraging the reform of the juvenile justice system to ensure its full compatibility with the principles and provisions of the Convention (CRC/C/15/Add.58, para. 40) has not yet been implemented because of the postponement of the entry into force of the Children and Adolescent Code of 1996. In particular, it reiterates its concern about the doctrine of "irregular situation" and notes that legal assistance for children is not mandatory and that the presence of a translator for indigenous children is not required. Concern is also expressed at the long periods of pre-trial detention and at poor conditions in detention centres, at the fact that children with no prior criminal record are held together with children with a criminal record and that inadequate education, rehabilitation and reintegration programmes are provided during the detention period.

284. In line with its own previous recommendation and with that of the Special Rapporteur on the independence of judges and lawyers (see E/CN.4/2000/61/Add.1), the Committee recommends that the State party continue reviewing its law and practices regarding the juvenile justice system in order to bring it as soon as possible into full compliance with the Convention, in particular articles 37, 40 and 39, as well as with other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and that it expedite the adoption of the Children and Adolescents Code of 1996 which guarantees due process of law for children and social and educational correctional measures. In particular, the Committee reminds the State party that juvenile offenders should be dealt with without delay, in order to avoid periods of incommunicado detention, and that pre-trial detention should be used only as a measure of last resort, should be as short as possible, and should be no longer than the period prescribed by law. Alternative measures to pre-trial detention should be used whenever possible.

285. With reference to children deprived of their liberty, the Committee recommends that the State party incorporate into its legislation and practices the United Nations Rules for the Protection of Juveniles Deprived of Liberty, in particular to guarantee them access to effective complaints procedures covering all aspects of their treatment, and take appropriate rehabilitative measures to promote the social reintegration of the children involved in the juvenile justice system. Finally, the Committee recommends that the State party seek assistance from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Optional Protocols

286. The Committee encourages the State party to ratify and implement the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

9. Dissemination of documentation

287. Finally, **the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the second periodic report and the written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Côte d'Ivoire

288. The Committee considered the initial report of Côte d'Ivoire (CRC/C/8/Add.41), received on 22 January 1999, at its 711th and 712th meetings (CRC/C/SR.711 and 712), held on 31 May 2001 and adopted, at the 721st meeting, held on 8 June 2001, the following concluding observations.

A. Introduction

289. While the Committee welcomes the State party's initial report, it regrets that it does not fully follow the guidelines established by the Committee. The Committee welcomes the timely submission of the written replies to its list of issues (CRC/C/Q/COT/1) which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive, open and frank dialogue it had with the delegation of the State party. The Committee notes with appreciation the high level and the diversity of the delegation, which covered the major issues of the Convention, and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

B. Positive aspects

290. The Committee welcomes the enactment of the new Constitution of 1 August 2000, which contains provisions on human rights for the protection of children and abolishes the death penalty (which used to be applicable to children from 16 years of age).

291. The Committee also welcomes the conclusion, on 1 September 2000, of a bilateral agreement with the Republic of Mali prohibiting trafficking of children between these two States parties.

292. The adoption in 1992 of a national plan of action for the survival, protection and development of Ivorian children for the year 2000, the national plan for health development adopted in November 1996 and the establishment of a committee to consider the plight of children orphaned by AIDS are positive steps for the implementation of the Convention on the Rights of the Child.

293. Finally, the Committee notes with interest the adoption of the law on female genital mutilation (1998), the Education Act (1995) and the Labour Code (1995).

C. Factors and difficulties impeding the implementation of the Convention

294. The Committee acknowledges that the economic, political and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. The Committee further notes that the limited availability of skilled human resources also adversely affects the full implementation of the Convention. The Committee is also concerned at the negative effects of the recent unrest in the State party on the implementation of the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

295. The Committee notes that a study was undertaken to identify the inconsistencies between domestic legislation and the Convention, but remains concerned, however, that domestic legislation, and in particular customary law, still does not fully reflect the principles and provisions of the Convention.

296. The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention. In that respect, the Committee recommends that the State party continue its efforts to adopt a comprehensive code on the rights of the child. It also encourages the State party to ratify the African Charter on the Rights and Welfare of the Child. Moreover, the Committee recommends that the State party address in more depth the problem of customary law that is inconsistent with the Convention on the Rights of the Child.

Coordination

297. While the Committee notes that the Ministry for Family, Women and Children is in charge of the coordination of governmental action on questions relating to children, it is concerned at the lack of an inter-institutional mechanism responsible for the coordination at the national level, and particularly at the local level, of the promotion and implementation of the Convention.

298. The Committee recommends that the State party take all necessary measures to allocate principal responsibility for the coordination of the implementation of the Convention to a single body or mechanism. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and appropriate measures be taken to include NGOs.

Independent monitoring structures

299. The Committee takes note of decree No. 2000-830 of 22 November 2000 establishing a National Human Rights Commission, and the project to establish a national monitoring body. While welcoming the fact that human rights associations have the right to submit cases to the Constitutional Council, the Committee emphasizes the importance of setting up an independent mechanism with a mandate to regularly monitor and evaluate progress in the implementation of the Convention at the local and national levels.

300. The Committee encourages the State party to consider the establishment of an independent national human rights institution, in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local level. In addition, the institution should be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and effectively address them. The Committee encourages the State party to seek technical assistance from, among others, OHCHR and UNICEF.

Budget and financial resources for children

301. While noting the priorities set by the State party on policies for children, notably the efforts to increase the budget allocated to education, the Committee expresses its concern that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

302. While recognizing that economic conditions are difficult, the Committee recommends that the State party make every effort to increase the proportion of the budget allocated to children's rights and, in this context, to ensure the provision of appropriate human resources and guarantee that the implementation of policies regarding children are a priority. The Committee also recommends the State party develop ways to undertake a systematic assessment of the impact of budgetary allocations on the implementation of child rights, and to collect and disseminate information in this regard.

Data collection

303. The Committee is concerned at the lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

304. The Committee recommends that the State party develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, indigenous and minority group, and urban and rural area. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect, or ill-treatment; children with disabilities; children belonging to ethnic groups; refugee and asylum-seeking children; children in conflict with the law; working children; adopted children; and children living in the streets and in rural areas. It further encourages the State party to use these indicators and data for the formulation of policies and programmes for the effective implementation of the Convention.

Dissemination of training on the Convention

305. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention, the Committee is of the opinion that these measures need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

306. The Committee recommends that the State party strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization. It also recommends that the State party translate the Convention into all national languages in order to reach the whole population. Moreover, the Committee encourages the State party to undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers. Technical assistance from, among others, OHCHR and UNICEF could be requested in this regard.

2. Definition of the child

307. While noting the various proposals currently under discussion, the Committee expresses concern at the disparity between the age of majority in civil matters (21 years) and in penal matters (18 years). It also considers that the minimum age for criminal responsibility (10 years), is too low and remains concerned at the difference between the minimum legal age for marriage of boys (20 years) and that of girls (18 years). Moreover, the Committee is deeply concerned that no minimum age has been set for the end of compulsory education and that the practice of early marriage is still widespread.

308. The Committee recommends that the State party review its legislation with a view to eliminating all disparities regarding minimum-age requirements, and that it make greater efforts to enforce the requirements. It also strongly recommends that the State party set a minimum age for the end of compulsory education and develop sensitization programmes to curb the practice of early marriage.

3. General principles

Non-discrimination

309. While noting that discrimination is prohibited under the Constitution, the Committee is concerned at the persistence of discrimination in the State party. In particular, the Committee is concerned at the occurrence of discrimination against non-citizen children, children with disabilities, children born out of wedlock, children from ethnic minorities, Muslim children, and girls; the Committee is particularly concerned about the low participation rate of girls in education. Moreover, the Committee is concerned at the discrepancies in the enjoyment of rights by certain vulnerable groups: children living in rural areas, refugee children, children from poor families, and children living and/or working on the streets.

310. In light of article 2 of the Convention, the Committee recommends that the State party make concerted efforts at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups. The Committee encourages the State party to ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

The right to life, survival and development

311. The Committee is deeply concerned at the situation of children born of incarcerated mothers, as both have very limited access to health services.

312. The Committee recommends that the State party take all necessary measures to ensure that children born in prison and their mothers are provided access to health services.

Respect for the views of the child

313. While welcoming the existence of a Children's Parliament, the Committee is concerned that respect for the views of the child remains limited within the family, in schools, in the courts and in the society at large, due to traditional attitudes.

314. The Committee encourages the State party to promote and facilitate, within the family, the school, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them in accordance with their evolving capacity, in light of article 12 of the Convention. The Committee also recommends that the State party provide educational information to, among others, parents, teachers, government administrative officials, the judiciary and the society at large on children's rights to participate and to have their views taken into consideration.

4. Civil rights and freedoms

Birth registration

315. While the Committee welcomes the efforts undertaken by the State party to raise awareness of and extend the deadline for the registration of birth, it remains very concerned at the large number of children whose birth is not registered.

316. In light of article 7 of the Convention, the Committee urges the State party to make every effort to ensure the registration of all children at birth, including through the continuation of awareness raising campaigns.

Ill-treatment

317. While welcoming the inclusion of a provision in the new Constitution prohibiting torture or other cruel, inhuman or degrading treatment and punishment, the Committee is concerned at the extremely poor conditions of detention for children, amounting in many instances to cruel, inhuman and degrading treatment as spelled out in article 37 (a) of the Convention.

318. The Committee urges the State party to take all necessary measures to improve the conditions of detention of children in prisons and to ensure that each case of violence and abuse is duly investigated in order to avoid impunity being enjoyed by the perpetrators.

5. Family environment and alternative care

Recovery of children's maintenance allowance

319. While domestic legislation includes provision for maintenance allowance (Marriage Act and Divorce Act), the Committee is concerned at the lack of implementation of these provisions due mainly to widespread ignorance of the law.

320. The Committee recommends that the State party make widely known the provisions of domestic legislation concerning maintenance allowance, notably to women who are illiterate, and that it ensure that professional groups dealing with this issue are adequately trained and that the courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay.

Children deprived of their family environment

321. The Committee is very concerned that current facilities available for the alternative care of children deprived of their family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care.

322. The Committee recommends that the State party urgently adopt a programme to strengthen and increase alternative care opportunities for children including, inter alia, the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies. The Committee recommends that the State party seek assistance from UNICEF in this regard.

Protection from abuse and neglect

323. While noting the establishment of a national committee to combat violence against women and children, the Committee is concerned at the incidence of abuse, including sexual abuse, and neglect of children in the State party, and that insufficient efforts have been made to protect children. The Committee is also particularly concerned at the high level of domestic violence and at sexual abuse of girls in schools, which leads to a high rate of primary and secondary school drop-out. In addition, the Committee is concerned at the lack of appropriate financial and human resources and the lack of adequately trained personnel to prevent and combat physical and sexual abuse.

324. In light of article 19 of the Convention, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and child abuse, including sexual abuse, in order to understand the scope and nature of these practices, to adopt effective measures and policies, and to contribute to changing attitudes. The Committee also recommends that cases of domestic violence and sexual abuse at schools, be properly investigated through a child-sensitive judicial procedure, and that the perpetrators be sanctioned, with due regard for the right to privacy of the child. The Committee also recommends that appropriate weight be given to children's views in legal proceedings; that support services be provided to child witnesses in legal proceedings; that provision be made for the physical and psychological recovery and social reintegration of victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and that measures be taken to prevent the criminalization and stigmatization of victims. The Committee recommends that the State party seek technical assistance from, among others, UNICEF.

6. Basic health and welfare

325. While taking note of the 1996 National Plan for Health Development, the Committee is deeply concerned at the extremely high and increasing infant mortality rates and low life expectancy in the State party, as well as at the low rates of breastfeeding. The Committee also remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human). In addition, the Committee is concerned that the survival and development of children within the State party continue to be threatened by early childhood diseases such as acute respiratory infections and diarrhoea. Concern is also raised by the poor situation of sanitation and the insufficient access to safe drinking water, especially in rural communities.

326. The Committee recommends that the State party reinforce its efforts to allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of children, particularly in rural areas. In this context, the Committee

recommends that the State party facilitate greater access to primary health services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation. Additionally, the Committee encourages the State party to pursue additional avenues of cooperation and assistance for child health improvement with, among others, WHO and UNICEF.

Adolescent health

327. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, for instance the very high rate of early marriage, which can have a negative impact on their health.

328. The Committee recommends that the State party undertake a comprehensive study in order to understand the nature and extent of adolescent health problems, with the full participation of adolescents, and use this as a basis for the formulation of adolescent health policies and programmes, with particular attention to female adolescents.

HIV/AIDS

329. While noting the existence of the National Programme for the Control of AIDS, Sexually Transmitted Infections and Tuberculosis, the establishment of a special Ministry on HIV/AIDS, and the setting up of a committee on HIV/AIDS orphans, the Committee remains extremely concerned at the alarmingly high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting large number of children orphaned by HIV/AIDS. The Committee is concerned at the lack of alternative care for these children. The Committee is also deeply concerned at the large number of teachers dying of HIV/AIDS in the State party.

330. The Committee recommends that the State party increase its efforts to prevent HIV/AIDS and take into consideration the recommendations adopted by the Committee on its day of general discussion on "Children living in a world with HIV/AIDS" (CRC/C/80, para. 243). The Committee also urges the State party to consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and to education. The Committee recommends that the State party seek technical assistance from, among others, UNAIDS.

Traditional harmful practices

331. While welcoming the adoption of a new law on female genital mutilation (1998), the Committee is concerned at the widespread nature of this practice in the State party.

332. The Committee urges the State party to continue its efforts to end the practice of female genital mutilation, inter alia through enforcement of legislation and implementation of programmes sensitizing the population about its harmful effects. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.

Children with disabilities

333. Noting the current efforts by the State party (in particular Act No. 98-594 of 10 November 1998), the Committee is concerned at the situation of children with physical and mental disabilities, and in particular at the limited specialized health care and educational and employment possibilities available for them. The Committee is further concerned that poor health and poverty are leading to an increase in the number of children with disabilities.

334. The Committee recommends that the State party review the situation of children with disabilities in terms of their access to suitable health care, educational services and employment opportunities, and that the State party establish a programme of action to address all areas of concern through an inclusive policy. The Committee recommends in addition that the State party take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69). The Committee further recommends that the State party sensitize the population to the human rights of children with disabilities. The Committee also suggests that the State party seek assistance from, among others, UNICEF and WHO.

Standard of living

335. The Committee acknowledges the State party's efforts to broaden the coverage of the social security system and joins the State party in expressing concern at the limited access to such assistance. The Committee also notes the survey on the negative impact of devaluation on vulnerable populations in Abidjan.

336. The Committee encourages the State party to revise its social policy by improving its drug policy and by facilitating access to primary health care. Similarly, the Committee recommends that the State party promote access to education and adequate housing in order to assist poor families and their children to improve their living conditions.

7. Education, leisure and cultural activities

337. While noting the adoption of the Education Act (1995) and of a national programme for the development of education (2000), as well as the current project to make education free and compulsory for all up to the age of 16 years, the Committee remains deeply concerned that primary education is not compulsory and free for all in the State party. The Committee is also concerned at the low education levels among children in the State party, gender and rural-urban disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in

their primary education, and the high drop-out rate of children who do attend school. The Committee also expresses concerns at the fact that Koranic schools are placed under the authority and administration of the Ministry of the Interior.

338. The Committee urges the State party to adopt and implement the project to make primary education free to all and compulsory. The Committee also recommends raising the level of educational achievement among children through, inter alia, increasing the number of available schools and classes, providing for the initial and ongoing training of more teachers and school inspectors, developing standard national textbooks, increasing the rates of enrolment and providing assistance with school fees, uniforms and other equipment for poor families. The Committee urges the State party to seek international assistance in this regard, including from UNICEF. The Committee recommends in addition that the State party ensure that children with disabilities have access to formal and vocational educational opportunities and that every effort be made to ensure that girls and boys, as well as children from urban and rural areas, have equal access to educational opportunities. In this regard, the Committee recommends that the State party seek assistance from UNICEF and UNESCO. Furthermore, the Committee recommends that the State party take appropriate measures to ensure that Koranic schools respect national school curricula and aims of education and are placed under the authority of the Ministry for Education.

339. The Committee recommends, in addition, that the State party pursue its efforts to include "education for peace and tolerance", children's rights and other human rights subjects in the curricula of primary and secondary schools, and that assistance be requested from UNICEF and UNESCO in this regard.

8. Special protection measures

Economic exploitation, including child labour

340. The Committee is deeply concerned at the fact that child labour in the State party is widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

341. The Committee recommends that the State party make every effort to ratify and implement ILO Convention (No. 138) on the Minimum Age for Admission to Employment and ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The Committee recommends that the State party seek assistance from ILO/IPEC in this regard.

Sale, trafficking and abduction

342. While noting the efforts undertaken by the State party within its Plan of Action to fight child trafficking, the Committee remains deeply concerned at the large number of child victims of trafficking for the purpose of exploitation in the State party's agricultural, mining and domestic service sectors and other forms of exploitation.

343. The Committee strongly encourages the State party to pursue its efforts in implementing the bilateral agreement with the Government of Mali and in extending this experience to other concerned countries. In addition, the Committee recommends that measures such as a comprehensive programme to prevent and combat the trafficking and sale of children be taken on an urgent basis, including an awareness raising campaign and educational programmes.

Children living in the streets

344. While welcoming the establishment of a national programme for the social settlement and resettlement of street children, the Committee remains concerned at the increase in the number of children living in the streets.

345. The Committee recommends that the State party make operational the interministerial committee and the multidisciplinary national commission to ensure that children living in the streets are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development. Moreover, the State party should ensure that these children are provided with rehabilitation services for physical, sexual and substance abuse, protection from police brutality, and services for reconciliation with their families.

Asylum-seeking and refugee children

346. The Committee welcomes the efforts undertaken by the State party to integrate refugee children into the society, in particular through their enrolment in the Ivorian basic education system. It nevertheless remains concerned about the difficult situation encountered by child refugees and their families.

347. The Committee recommends that the State party strengthen the legal protection of refugee children and implement the project agreement with UNHCR. The Committee encourages the State party to continue and expand its cooperation with international agencies such as UNHCR and UNICEF.

Administration of juvenile justice

348. While recognizing the State party's efforts in this domain, the Committee remains concerned at the limited progress achieved in establishing a functioning system of juvenile justice throughout the country. In particular, the Committee is concerned at the small number of juvenile courts, judges and social workers. In addition, the Committee is deeply concerned about the poor conditions of detention, due notably to overcrowding, the overuse of pre-trial detention, the low minimum age of criminal responsibility (10 years), the lengthy periods before juvenile cases can be heard, and the absence of assistance towards the rehabilitation and reintegration of juveniles following judicial proceedings.

349. The Committee recommends that the State party take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty.

350. In addition, the Committee recommends that the State party:

(a) Undertake all necessary measures to ensure that juvenile courts are accessible to children in all regions of the State party;

(b) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time; protect the rights of children deprived of their liberty and monitor their conditions of detention; and ensure that children remain in regular contact with their families while in the juvenile justice system;

(c) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(d) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings;

(e) Request technical assistance in the area of juvenile justice and police training from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Optional Protocols

351. The Committee encourages the State party to ratify and implement the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

Dissemination of documentation

352. Finally, **in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations. The Committee recommends that the State party request international cooperation in this regard.**

United Republic of Tanzania

353. At its 713th and 714th meetings (see CRC/C/SR.713 and 714), held on 1 June 2001, the Committee on the Rights of the Child considered the revised initial report of the United Republic of Tanzania (CRC/C/8/Add.14/ Rev.1), which was submitted on 20 October 1999. Tanzania's initial report was submitted in 1994, but the Committee requested a more comprehensive report following the guidelines for the submission of State party reports. The Committee adopted at the 721st meeting, held on 8 June 2001, the following concluding observations with respect to the revised initial report of Tanzania.

A. Introduction

354. The Committee welcomes the submission of the State party's revised initial report which followed the established guidelines. The Committee welcomes the written replies to its list of issues (CRC/C/Q/TAN/1) which allowed for a clearer understanding of the situation of children in the State party. The Committee is encouraged by the constructive dialogue it had with the State party and welcomes the positive reactions to the suggestions and recommendations made during the discussion. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the situation of the rights of children in the State party.

B. Positive aspects

355. The Committee welcomes the recent amendments (2000) to the Constitution and other domestic legislation which allowed for the enactment of the Commission for Human Rights and Good Governance Act 2001.

356. The Committee welcomes the Child Development Policy which gives direction on how children's issues should be handled and given priority in accordance with the Convention. The Committee also welcomes the Tanzania Development Vision 2025 and the Poverty Reduction Strategy Programme which are intended, inter alia, to improve the standard of living of children.

357. The Committee notes with satisfaction that the State party is one of three countries worldwide that has committed itself to a time-bound programme to eliminate the worst forms of child labour, starting in mid-2001.

358. The Committee welcomes the enactment of the Sexual Offences (Special Provisions) Act of 1998 which provides greater protection for women and children against sexual abuse and exploitation.

359. The Committee welcomes the establishment in 1997 of the State party's first juvenile court and notes the intention to create juvenile courts in each region of the country.

360. The Committee notes that the State party encourages the active participation of NGOs in promoting and implementing children's rights and that NGOs were invited to participate in the preparation of the State party's report.

C. Factors and difficulties impeding the implementation of the Convention

361. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, it notes the impact of the structural adjustment programme, high external debt payments, and increasing levels of unemployment and poverty within the State party. The Committee further notes that the limited availability of skilled human resources also adversely affects the full implementation of the Convention.

D. Subjects of concern and recommendations

1. General measures of implementation

Legislation

362. The Committee is encouraged by the commitment expressed by the State party to incorporate the general principles of the Convention into all domestic legislation relevant to children. The Committee notes that a review of domestic law was undertaken by the Law Reform Commission to determine any inconsistencies with the Convention and that efforts have been made to introduce some of the recommendations of the Commission. However, the Committee remains concerned that domestic, applied Islamic and customary law still do not fully comply with the provisions and principles of the Convention.

363. The Committee recommends that the State party reinforce its efforts to ensure that domestic law, including Islamic and customary law, fully conforms with the provisions and principles of the Convention on the Rights of the Child. The Committee encourages the State party to consider adopting a comprehensive children's code which would include the principles of the Convention, with a view to enhancing a rights based approach. In this regard, the Committee further recommends that the State party seek technical assistance from, among others, OHCHR and UNICEF.

Coordination

364. While the Committee notes that the Ministry of Community Development, Women Affairs and Children is the agency responsible for coordination and implementation of the Convention on the mainland, it is concerned about the insufficient authority delegated and inadequate resources allocated for the effective functioning of the Ministry. While noting that the Ministry of State, Women and Children is responsible for coordinating the implementation of the Convention in Zanzibar, the Committee expresses concern about the lack of a comprehensive approach between Zanzibar and the mainland in coordinating and implementing the Convention.

365. The Committee recommends that the State party take all effective measures to strengthen the mandate and resources (financial and human) of the Ministry of Community Development, Women Affairs and Children to facilitate effective coordination of planning and implementation of the Convention at the national and local levels. The

Committee encourages the State party to take all effective measures to ensure a comprehensive approach in coordinating the implementation of the Convention on the mainland and in Zanzibar.

Data collection

366. The Committee is concerned that the data collection mechanism within the State party does not ensure the adequate collection of disaggregated data on all aspects of the Convention, monitor and evaluate progress achieved, and assess the impact of policies adopted with respect to children.

367. The Committee recommends that the State party strengthen its efforts to establish a comprehensive mechanism to collect data, disaggregated by gender, age, minority, and rural/urban residence. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of children's policies. The data collection mechanism should incorporate all the areas covered by the Convention and cover all children below the age of 18 years, with specific emphasis on those who are particularly vulnerable. In this context, the Committee recommends that the State party seek technical assistance from, among others, UNFPA and UNICEF.

Independent monitoring mechanisms

368. While the Committee welcomes the Commission for Human Rights and Good Governance Act 2001, it expresses concern about the accessibility and availability of this new mechanism to all children in all regions of the State party.

369. The Committee suggests that the State party take all effective measures to ensure that the Commission for Human Rights and Good Governance is easily accessible and child-sensitive and that it can deal effectively with complaints of violations of the rights of children and provide remedies for such violations, in all regions of the country. The Committee further suggests that the State party conduct an awareness-raising campaign about the Commission to facilitate its effective use by children. The Committee encourages the establishment of a focal point on children within the Commission for Human Rights and Good Governance to monitor children's rights.

Allocation of budgetary resources

370. While the Committee is aware of the economic challenges faced by the State party, including increasing poverty levels and high debt payments, it is concerned that in light of article 4 of the Convention, not enough attention has been paid in allocating budgetary resources, at both the national and local levels and in the best interests of children, "to the maximum extent of ... available resources".

371. In light of articles 2, 3, and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and

cultural rights of children, especially economically and geographically disadvantaged groups, to the maximum extent of available resources (at the national and local levels) and, where needed, within the framework of international cooperation.

Dissemination of the Convention

372. The Committee notes the initiatives of the State party to promote awareness of the principles and provisions of the Convention, including the translation of the Convention into Kiswahili; the introduction of children's rights into the curricula of schools and community development and social welfare institutes; and the production of animated videos and cartoon characters such as Sara, which promotes the positive development of girls. However, the Committee is concerned that professional groups, children, parents and the general public are still not sufficiently aware of the Convention and the rights-based approach enshrined therein.

373. The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and understood by adults and children alike. In this regard, the Committee recommends the reinforcement of adequate and systematic training and/or sensitization of professional groups working with and for children, such as judges, lawyers, law enforcement personnel, teachers, school administrators, health personnel, including psychologists and social workers, personnel of child-care institutions, and traditional or community leaders. The Committee recommends that the State party incorporate human rights, especially the Convention on the Rights of the Child, into the school curricula at all levels. The Committee encourages the State party to continue to promote the principles of the Convention through the use of multi-media and traditional methods of communication. In this regard, the Committee further suggests that the State party seek technical assistance from, among others, UNCHR and UNICEF.

2. Definition of the child

374. The Committee is concerned about the various legal minimum ages, which are inconsistent, discriminatory and/or too low.

375. The Committee recommends that the State party take the necessary legislative measures to:

(a) Increase the legal age for criminal responsibility;

(b) Establish a clear minimum age for marriage which should be the same for boys and girls;

(c) Bridge the gap between the minimum age for work (15 years) and the age at which compulsory education ends (13 years), preferably by increasing the latter.

Death penalty and life imprisonment

376. The Committee notes with concern that the law does not explicitly prohibit the use of the death penalty or life imprisonment for children below the age of 18 years.

377. The Committee strongly encourages the State party to establish by law the prohibition of the use of the death penalty and life imprisonment for children below the age of 18 years.

3. General principles

Non-discrimination

378. The Committee notes with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, especially girls (including their inheritance rights), children born out of wedlock (including their maintenance and inheritance rights), young mothers (particularly those belonging to Islamic communities and those living in Zanzibar, including their right to inherit and own property), children with disabilities, children of economically disadvantaged families; children in conflict with the law, children living in institutions, children living and/or working on the streets; child victims of abuse, refugee and asylum seeking children, children belonging to ethnic minorities, children living in rural areas, and those belonging to pastoralist communities. The Committee is particularly concerned about their limited access to adequate health, education and other social services.

379. The Committee recommends that the State party take all effective measures to implement laws, policies and programmes to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children.

Best interests of the child

380. The Committee is concerned that the general principle of the best interests of the child (art. 3) has not been taken fully into account in the State party's legislative, administrative and judicial decisions, as well as in policies and programmes relevant to children.

381. The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as judicial and administrative decisions and in projects, programmes and services which have an impact on children, especially those relating to marriage, custody, maintenance and inheritance rights.

Right to life, survival and development

382. The Committee expresses concern that the severe impact of HIV/AIDS, mounting economic challenges and other socio-economic difficulties continue to threaten the right to life, survival and development of children within the State party.

383. The Committee encourages the State party to take all effective measures to provide greater protection and support to children whose right to life, survival and development is

unduly threatened by the difficult socio-economic realities of the State. In this connection, the Committee recommends that the State party take all effective measures to strengthen its technical cooperation with, among others, UNICEF.

Respect for the views of the child

384. While the Committee notes the efforts of the State party, including its support for a children's parliament, it is concerned that traditional practices and attitudes still limit the full implementation of article 12 of the Convention.

385. The Committee recommends that the State party develop a systematic approach to increasing public awareness of the participatory rights of children, particularly at the local level and in traditional communities, and encourage respect for the views of the child in families, schools, and the care and judicial systems.

4. Civil rights and freedoms

Birth registration

386. The Committee notes that the law provides for the registration of children at birth and that the State party has initiated campaigns to raise awareness about the importance of birth registration. However, it is concerned that most children, particularly those born at home and those living in rural communities, are not registered.

387. In light of articles 7 and 8 of the Convention, the Committee recommends that the State party undertake appropriate measures, including awareness raising among government officers, midwives, community and religious leaders, and parents themselves, to ensure that all children are registered at birth. The Committee encourages the State party to introduce practical measures to facilitate birth registration, such as the introduction of mobile birth registration units.

Police brutality

388. The Committee is concerned about the incidence of police brutality, particularly against children living and/or working on the streets, refugee children and those in conflict with the law. Concern is also expressed at the inadequate enforcement of existing legislation to ensure that all children are treated with respect for their physical and mental integrity and their inherent dignity.

389. The Committee strongly recommends that all appropriate measures be taken to fully implement the provisions of articles 37 (a) and 39 of the Convention. In this regard, the Committee further recommends that greater efforts be made to prevent police brutality and facilitate the recovery of child victims through, inter alia, rehabilitation and compensation. Additionally, it is recommended that the State party take effective measures to ensure that the perpetrators of brutality against children are brought to justice.

Corporal punishment

390. The Committee notes with regret that the law does not prohibit the use of corporal punishment as a sentence for children and youth in the juvenile justice system. Concern is also expressed that this type of punishment continues to be practised in schools, families and care institutions.

391. The Committee recommends that the State party take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment within the juvenile justice system, schools and care institutions as well as in families. The Committee encourages the State party to intensify its public awareness campaigns to promote positive, participatory, non-violent forms of discipline as an alternative to corporal punishment at all levels of society.

5. Family environment and alternative care

Protection of children deprived of a family environment

392. The Committee expresses concern at the increasing number of children deprived of a family environment, including AIDS orphans. Concern is also expressed at the inadequate facilities and services for children deprived of a family environment, the absence of an independent complaint mechanism for children in alternative care institutions, the inadequate review of their placement in institutions as well as the lack of available trained personnel in this field. The Committee notes with concern the absence of a code of standards for alternative care institutions for children. Concern is also expressed at the insufficient financial and human resources allocated for alternative care.

393. The Committee recommends that the State party take effective measures to improve alternative care, including through the allocation of adequate financial and human resources. It further recommends that the State party provide additional training, including in children's rights, for social and welfare workers, ensure the periodic review of placements in institutions and establish an independent complaints mechanism for children in alternative care institutions. Additionally, the Committee recommends that the State party establish and implement a code of standards to ensure adequate care and the protection of children deprived of a family environment.

Adoptions and foster care

394. While noting that the Adoption Ordinance provides for the regulation of adoptions (domestic and intercountry), the Committee expresses concern that informal adoptions are more widely accepted and practiced within the State party. The Committee also notes the insufficient efforts to establish an effective foster care programme within the State party.

395. In light of article 21 of the Convention, the Committee recommends that the State party introduce adequate administrative procedures for formal domestic adoptions, in order to prevent the abuse of the practice of informal adoption and guarantee the protection of the rights of children in this regard. In light of the increasing number of

children deprived of a family environment, the Committee encourages the State party to promote and encourage formal adoptions and to establish an effective foster care programme. Additionally, the Committee encourages the State party to consider the possibility of acceding to the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

Abuse/neglect/abandonment/maltreatment/violence

396. While the Committee notes the efforts of the State party, including the recent enactment of the Sexual Offences Special Provisions Act (1998), it is concerned about the high and increasing incidence of sexual abuse of children, including within the family. The Committee also expresses concern at the lack of awareness and information on domestic violence, ill-treatment and abuse (sexual, physical and psychological) of children and the insufficient financial and human resources allocated to programmes to prevent and combat all forms of abuse against children and to rehabilitate child victims in this regard.

397. In light of article 19, the Committee recommends that the State party undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) in order to adopt adequate policies and contribute to changing traditional attitudes. The Committee encourages the State party to consider introducing mandatory reporting of abuse, including sexual abuse of children. It also recommends that cases of domestic violence, ill-treatment and abuse of children be properly investigated within a child-sensitive judicial procedure and sanctions applied to the perpetrators, with due regard given to protecting the right to privacy of the child. In accordance with article 39 of the Convention, measures should be taken to ensure the rehabilitation of victims as well as the perpetrators. Efforts should also be made to prevent the criminalization and stigmatization of child victims of abuse. The Committee encourages the State party to continue its regional cooperation in combating all forms of violence against women and children. The Committee recommends that the State party seek technical assistance from, among others, UNICEF and UNDP.

6. Basic health and welfare

Right to health and access to health services

398. While the Committee notes the reforms under way in health care, including the introduction of the integrated management of childhood diseases (IMCI), it remains concerned about the limited access to basic health care, related largely to the introduction of user fees in health; the insufficient number of trained medical personnel; the high incidence of malaria; high maternal, child and infant mortality rates; a high rate of malnutrition; poor sanitation and limited access to safe drinking water, especially in rural areas.

399. The Committee recommends that the State party allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of children. Additionally, the State party should take all effective measures to facilitate greater access to health services by, inter alia, abolishing or rationalizing user fees in primary health to reduce the burden on poor families; increase the number of trained

medical and other health personnel, including traditional healers; facilitate cooperation between trained medical personnel and traditional healers, especially midwives; reduce the rates of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; increase access to safe drinking water; improve sanitation; and reduce the incidence of malaria. The Committee encourages the State party to continue its cooperation through the IMCI and other measures for child health improvement with, among others, WHO and UNICEF.

Adolescent health

400. The Committee expresses its concern with respect to the limited availability of programmes and services and the lack of adequate data in the area of adolescent health, including on early marriage and pregnancy, HIV/AIDS and STDs, abortion, violence, suicides, mental health, and alcohol, drug and substance abuse.

401. The Committee recommends that the State party strengthen adolescent health policies, including reproductive health education. Further, the Committee suggests that a comprehensive and multidisciplinary study be undertaken in order to understand the scope of adolescent health problems, including the special situation of children infected and/or affected by HIV/AIDS and STDs. Additionally, it is recommended that the State party allocate adequate human and financial resources to increase the number of social workers and psychologists and to develop youth-sensitive care, counselling and rehabilitation facilities for adolescents. It is further recommended that the State party seek technical assistance from, among others, UNICEF and WHO.

Female genital mutilation

402. While noting that female genital mutilation (FGM) is prohibited by law, the Committee is concerned that it is still widely practised in the State party.

403. The Committee recommends that the State party strengthen its efforts to combat and eradicate the persistent practice of FGM and other traditional practices harmful to the health, survival and development of girls, such as infanticide and early and forced marriages. The Committee urges the State party to continue to carry out sensitization programmes for practitioners and the general public to change traditional attitudes and discourage harmful practices.

Children with disabilities

404. The Committee notes that the State party has enacted legislation concerning the care, maintenance and employment of persons with disabilities and has established a National Advisory Council to monitor rehabilitation centres for children with disabilities. However, the Committee is concerned about the inadequate facilities and services for children with disabilities, the limited numbers of trained teachers to work with these children, as well as the insufficient efforts made to facilitate the inclusion of children with disabilities into the educational system and generally within society. Concern is also expressed at the inadequate data collection on children with disabilities.

405. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69), it is recommended that the State party:

(a) Reinforce its efforts to develop early identification programmes to prevent disabilities;

(b) Implement alternatives to the institutionalization of children with disabilities;

(c) Establish special education programmes for them and, where feasible, include them in the regular school system;

(d) Take effective measures to ensure adequate training for teachers working with children with disabilities;

(e) Take effective measures to collect adequate statistical data on children with disabilities, including in Zanzibar, and to ensure the use of such data in the development of policies and programmes for these children;

(f) Undertake an awareness-raising campaign to sensitize the public about the rights and special needs of children with disabilities as well as children with mental health concerns;

(g) Enhance support to families with children with disabilities;

(h) Seek technical cooperation for the training of professional staff working with and for children with disabilities from, among others, WHO.

Right to an adequate standard of living

406. The Committee notes the challenging socio-economic situation and the efforts of the State party to improve the standard of living of its people through, inter alia, the introduction of the Tanzania Development Vision 2025 and the Poverty Reduction Strategy Programme. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, children living and/or working on the streets and children living in remote rural communities.

407. In accordance with article 27 of the Convention, the Committee recommends that the State party reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children in the implementation of the Poverty Reduction Strategy Programme and all other programmes intended to improve the standard of living in the country. The Committee further recommends that the State

party establish mechanisms to ensure that children living and/or working on the streets are provided with nutrition, clothing and housing. Moreover, the State party should ensure that these children are provided adequate access to health care; rehabilitation services for physical, sexual and substance abuse; services for reconciliation with their families; and education, including vocational and life-skills training. The Committee recommends that the State party cooperate and coordinate its efforts with civil society and local communities.

7. Education, leisure and cultural activities

Right to and aims of education

408. The Committee welcomes the Education Sector Development Programme, which focuses on, inter alia, access and equity in education, and the Complementary Basic Education Programme which seeks to improve drop-out rates, especially of girls. The Committee notes with appreciation that the Government is considering the possibility of abolishing school fees and other types of payments for primary school children. However, the Committee remains concerned about the limited access to education, especially for girls, including pregnant girls, children from economically disadvantaged families and those living in remote rural communities. Concern is also expressed regarding high drop-out and repetition rates, insufficient numbers of trained teachers, insufficient schools and classrooms, and the lack of relevant learning material. In light of article 29.1 of the Convention, the Committee is also concerned about the quality of education within the State party. The Committee notes with regret the reported incidents of sexual abuse and exploitation of girls within the school environment.

409. The Committee recommends that the State party take all appropriate measures, including the allocation and distribution of adequate financial, human and technical resources, to enhance the quality of education and ensure that all children enjoy the right to education. It is further recommended that the State party reinforce its efforts to increase access to education by, inter alia, abolishing user fees at the primary level. In this regard, the Committee encourages the State to further consider rationalizing user fees at the secondary and tertiary levels. The State party should pay particular attention to the quality of education, in light of article 29.1 of the Convention and the Committee's General Comment No. 1 on the aims of education. The Committee strongly encourages the State party to take all effective measures to protect children, especially girls, against sexual abuse and violence within the school environment and to facilitate the rehabilitation of child victims in this regard. It is recommended that the State party seek to strengthen its educational system through closer cooperation with UNICEF and UNESCO.

8. Special protection measures

Refugee, asylum-seeking children and unaccompanied children

410. The Committee recognizes the State party's established practice of hosting refugees from neighbouring States and the current challenges faced in this regard, caused mainly by the socio-economic situation. While noting the enactment of the Refugees Act (1998), the

Committee is concerned about the inadequate standards, procedures, policies and programmes to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including adequate education, especially post-primary education, and health and other social services. Concern is also expressed regarding the situation of abuse, including sexual abuse, and violence against girls in and around refugee camps. The Committee notes with concern that the present rules relating to marriages between refugees and Tanzanian nationals are discriminatory as regards female Tanzanian nationals, particularly concerning the residential status and rights of their spouses and children.

411. The Committee recommends that the State party take all effective measures to ensure adequate protection of refugee, asylum-seeking and unaccompanied children, especially girls, and implement further policies and programmes to guarantee their adequate access to health, educational and social services. The Committee further recommends that the State party review its standards and procedures in the asylum process to ensure their consistency with international standards and introduce special procedures for refugee children, especially those separated from their families. The Committee recommends that the State party develop a policy to permit refugees married to Tanzanian nationals, irrespective of gender, to obtain residential status and/or naturalization and further guarantee the rights of the children of such unions. The Committee encourages the State party to enhance its cooperation with UNHCR.

Economic exploitation

412. The Committee notes that the State party joined the ILO International Programme on the Elimination of Child Labour (IPEC) in 1994 and subsequently committed itself to a time-bound programme to eliminate the worst forms of child labour, starting in mid-2001. However, in light of the current economic situation, the increasing number of school drop-outs and the increasing number of children living and/or working on the streets, the Committee is concerned about the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation within the State party.

413. The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sectors. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour. In light of the State party's commitment to the time-bound programme to eliminate the worst forms of child labour, the Committee encourages the State party to ratify, at the earliest opportunity, ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Sexual exploitation and sexual abuse

414. The Committee notes the enactment of the new Sexual Offences Act which, inter alia, requires that cases involving children be heard in camera and eliminates the requirement that children's testimony be corroborated. The Committee remains concerned about the large and increasing number of child victims of commercial sexual exploitation and sex tourism, including

prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

415. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to understanding the scope of commercial sexual exploitation and sex tourism, including prostitution and pornography, and implementing appropriate preventive policies and rehabilitative and social reintegration programmes for child victims. The Committee recommends that the State party take into account the recommendations formulated in the Agenda for Action adopted at the 1996 World Congress against Commercial Sexual Exploitation of Children held in Stockholm.

Sale, trafficking and abduction

416. The Committee notes with concern that there have been reported incidents of the sale, trafficking and abduction of children, especially girls, primarily for domestic labour.

417. The Committee recommends that the State party take effective measures to prevent and combat the sale, trafficking and abduction of children. The State party should, inter alia, facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them.

Administration of juvenile justice

418. The Committee regrets the insufficient information provided in the State party's report on the situation of children in the juvenile justice system. While the Committee notes that the first juvenile court has recently been established in the State party, it is concerned that the juvenile justice system still does not adequately cover all regions of the country. Concern is also expressed about the holding of minors in adult detention facilities; the poor conditions in detention facilities, the lack of adequate facilities for children in conflict with the law, especially girls, the limited numbers of trained personnel to work with children in this regard, the lack of rehabilitation and reintegration programmes, and the lack of a complaints mechanism for children whose rights have been violated in this regard.

419. The Committee recommends that the State party:

(a) Take all appropriate measures to implement a juvenile justice system in conformity with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Use deprivation of liberty only as a measure of last resort and for the shortest possible period of time; improve the conditions in detention facilities; protect the rights of children deprived of their liberty, including their right to privacy; and ensure that children remain in contact with their families while in the juvenile justice system;

(c) Introduce training programmes on relevant international standards for all professionals involved with the administration of juvenile justice;

(d) Reinforce its efforts to ensure that the juvenile justice system is available and accessible to all children within the State party;

(e) Abolish corporal punishment as a sentence within the juvenile justice system;

(f) Strengthen rehabilitation and reintegration programmes;

(g) Submit more comprehensive information on the juvenile justice system in its next periodic report; and

(h) Consider seeking technical assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance in Juvenile Justice.

9. Optional Protocols

420. The Committee notes that the State party has not signed or ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

421. The Committee encourages the State party to sign and ratify the two Optional Protocols to the Convention on the Rights of the Child.

10. Dissemination of documentation

422. Finally, **the Committee recommends that, in light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

Bhutan

423. At its 715th and 716th meetings (CRC/C/SR.715 and 716), held on 5 June 2001, the Committee on the Rights of the Child considered the initial report of Bhutan (CRC/C/3/Add.60), which was received on 20 April 1999, and adopted, at the 721st meeting, held on 8 June 2001, the following concluding observations.

A. Introduction

424. The Committee notes that the initial State party report was prepared according to the Committee's guidelines for reporting. It notes the timely submission of the informative written answers. The Committee further notes with appreciation the presence of a high-level and cross-sectoral delegation, which contributed to a frank and open dialogue.

B. Positive aspects

425. The Committee notes that the consideration of the initial report of Bhutan marked the first occasion that the State party had appeared before a human rights treaty body.

426. The Committee welcomes the progress made at the Joint Verification Talks and the commencement of the verification process of the refugees in Nepal. It further welcomes the undertaking made by the head of the State party's delegation to convey to the Government the Committee's concerns on the need to accelerate the process.

427. The Committee welcomes the incorporation in the State party's development plans of the goals contained in the World Declaration and Plan of Action of the 1990 World Summit for Children.

428. The Committee welcomes the establishment of the Department of Legal Affairs, which is an important step in consolidating the rule of law in the State party.

429. The Committee welcomes the establishment of the Youth Development Fund and the Health Trust Fund.

430. The Committee appreciates the cooperation of the State party with United Nations agencies and other international organizations, such as in the formulation and signing of a Master Plan of Operations in cooperation with UNICEF.

431. The Committee welcomes the child-focused and holistic approach taken by the State party in formulating policies and programmes relating to aspects of the Convention (e.g. multisectoral strategies such as the Comprehensive School Health Programme, involving the education and health sectors).

C. Factors and difficulties impeding the implementation of the Convention

432. The Committee acknowledges that difficult topography (i.e. difficult mountainous terrain), the relatively recent socio-economic development, the pressures posed by high population growth on the provision of social services and the shortage of human and economic resources are factors impeding the implementation of some provisions of the Convention.

433. The Committee notes the challenges posed by the State party's aspirations to maintain its unique culture and identity amidst increasing development and openness, as well as within the regional context.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

434. While noting various legislative measures already taken or proposed with respect to child rights (e.g. amendments to the 1980 Marriage Act, the 1993 Rape Act, the draft Juvenile Justice Act, draft Civil and Criminal Codes, and the draft Immoral Trafficking Act), the Committee is concerned that they do not reflect a comprehensive rights-based approach to the implementation of the Convention.

435. The Committee recommends that the State party:

(a) Ensure the speedy promulgation of legislation relating to child rights;

(b) Undertake a comprehensive review of existing legislation, from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention; and

(c) Consider adopting a comprehensive children's code which would incorporate the principles and provisions of the Convention.

Coordination

436. The Committee welcomes the information that the Government is planning to review the implementation structure for the Convention, particularly the strengthening of the role of the CRC Task Force. However, it is concerned that the CRC Task Force is not yet operational.

437. The Committee recommends that the State party:

(a) Pursue the preparation and development of a comprehensive national plan of action for the implementation of the Convention, through an open, consultative and participatory process;

(b) Ensure that the CRC Task Force is responsible for intersectoral coordination and cooperation (at and between national and local levels of government), dissemination and training of the Convention, coordination of NGO activities in the implementation of the Convention, as well as coordination in the preparation of the State party's reports; and

(c) Ensure that the CRC Task Force is adequately resourced (e.g. financially and professionally).

Cooperation with civil society

438. Noting good governmental cooperation in the development and welfare sectors with national associations, bilateral aid agencies, international organizations and NGOs, the Committee is nevertheless concerned that insufficient efforts have been made to involve civil society, particularly in the area of civil rights and freedoms, in the implementation of the Convention.

439. The Committee recommends that the State party:

(a) Consider a systematic approach to involving civil society, especially children's associations, throughout all stages of the implementation of the Convention, including with respect to civil rights and freedoms; and

(b) Ensure that legislation regulating NGOs conforms to international standards on freedom of association, as a step in facilitating and strengthening their participation.

Data collection

440. The Committee is concerned that disaggregated data on persons under 18 years relating to the rights contained in the Convention are not systematically collected and used effectively to assess progress and design policies to implement the Convention.

441. The Committee recommends that the State party:

(a) Establish a mechanism to systematically collect and analyse disaggregated data on all persons under 18 years for all areas covered by the Convention, including members of the most vulnerable groups (i.e. children of different ethnicity, living in remote areas, with disabilities, of economically disadvantaged households, etc.); and

(b) Seek technical assistance from, among others, UNICEF.

Monitoring structures

442. The Committee is concerned at the lack of an independent mechanism with a mandate to regularly monitor and evaluate progress in the implementation of the Convention and empowered to receive and address complaints.

443. The Committee recommends that the State party:

(a) Consider the establishment of an independent national human rights institution, in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and at the local levels. This institution should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively; and

(b) Seek technical assistance from, among others, OHCHR, UNICEF and the European Network of Ombudspersons for Children.

Budgetary allocation

444. While noting significant investment and increased budgetary allocation in the social sector, the Committee is still concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

445. The Committee recommends that the State party:

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights;

(b) Ensure that multisectoral programmes are adequately funded;

(c) Ensure the distribution - to the maximum extent - of available resources at the national and local level, and, where needed, within the framework of international cooperation; and

(d) Consider its obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children, particularly children belonging to the most vulnerable groups, are well observed.

Training/dissemination of the Convention

446. Noting some efforts by the State party (e.g. radio programmes), the Committee is concerned that awareness of the Convention amongst professionals working with and for children and the general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination and awareness raising activities in a systematic and targeted manner.

447. The Committee recommends that the State party:

(a) Develop an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing human rights training programmes for all professional groups working for and with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel); and

(c) Seek assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

448. The Committee notes that the 1996 amendment to the Marriage Act of 1980 raised the age of marriage of girls to 18. It further notes information from the delegation that courts generally interpret the law to include persons under 18 as children for all purposes.

449. The Committee recommends that the State party review its legislation with a view to ensuring that the definition of the child and minimum age requirements conform to the principles and provisions of the Convention, are gender neutral, are explicit and are enforced by law.

3. General principles

The right to non-discrimination

450. The Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups (e.g. children living in remote areas, belonging to other ethnic groups, with disabilities, from economically disadvantaged households, etc.).

451. The Committee recommends that the State party:

(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2; and

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

452. The Committee is concerned about the impact on children of reports of discrimination against individuals belonging to the Lhotshampas. In particular, it is concerned about reports: that these children face de facto discrimination in access to education and other services and on the basis of status, activities or opinions of their parents or relatives.

453. The Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination, in accordance with article 2 of the Convention, in all fields of civil, economic, political, social and cultural life;

(b) Establish accessible, prompt and effective mechanisms to monitor, receive and address complaints of discrimination (e.g. prompt appeal in circumstances of denial of school enrolment); and

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes towards different ethnic groups.

Respect for the views of the child

454. The Committee notes the State party's efforts to respect the views of children in schools (e.g. the 1997 school code of conduct). Nevertheless, it is concerned that traditional attitudes towards children in society at large may limit the exercise of this right, especially within the family.

455. The Committee recommends that the State party:

(a) Continue to promote and facilitate, within the family, the school, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for teachers, social workers and local officials at the village-block level to assist children to express their informed views and opinions, and to have them taken into consideration; and

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Birth registration

456. Noting the difficulties imposed by terrain and settlement patterns, the Committee is concerned that the failure of timely birth registration can have negative consequences on the full enjoyment by children of their fundamental rights and freedoms.

457. The Committee recommends that the State party:

(a) Make greater efforts to ensure the timely registration of all births, and issue birth certificates;

(b) Carry out awareness-raising about registration in rural areas; and

(c) Consider the establishment of mobile registration offices and registration units in schools.

Nationality

458. The Committee is concerned that under citizenship laws, a child of a Bhutanese mother and a non-national father must face a burdensome naturalization process, whereas this is not required if the father is Bhutanese.

459. The Committee recommends that the State party ensure the right of a child to a nationality without discrimination on the basis of the gender of the parent(s) in accordance with articles 2 and 7 of the Convention.

5. Family environment and alternative care

Family reunification

460. The Committee is concerned that as a result of events following the census in the late 1980s, there may be children in southern Bhutan who are separated from their parents, or whose parents are residing abroad as refugees.

461. The Committee recommends that the State party ensure that family reunification is dealt with in a positive, humane and expeditious manner, in accordance with article 10 of the Convention.

Violence/abuse/neglect/maltreatment

462. Noting the respect for children in Bhutan, the Committee is concerned that there is insufficient information and awareness of the ill-treatment of children in schools and within the family.

463. The Committee recommends that the State party:

(a) Conduct a study to assess the nature and extent of ill-treatment of children, and design policies and programmes to address it;

(b) Take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family, schools, and in institutions;

(c) Carry out public education campaigns about the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, including intervention where necessary;

(e) Prosecute instances of ill-treatment, ensuring that the abused child is not victimized in legal proceedings;

(f) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases; and

(g) Seek assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Right to health and healthcare

464. The Committee notes significant achievements in the health sector: improvements in health indicators; increased investment; the inclusion of health education in the school curricula; and the establishment of basic health units, outreach clinics and health volunteer programmes. However, it is concerned about problems of access to services and the shortage of trained health workers.

465. The Committee recommends that the State party:

(a) Make greater efforts to ensure access to health services; and

(b) Continue to allocate the required resources to address the shortage of trained health workers.

466 Noting the State party's efforts to address adolescent health, such as the publication of pamphlets on reproductive and mental health, and drug abuse, the Committee is concerned at the effectiveness of these efforts.

467. The Committee recommends that the State party:

(a) Ensure that adolescents have access to and are provided with education on reproductive health and other adolescent health issues, as well as with child-sensitive and confidential counselling services;

(b) Strengthen its efforts to provide adolescent health education within the educational system; and

(c) Seek assistance from, among others, UNICEF and WHO.

Children with disabilities

468. Noting some efforts by the State party concerning children with disabilities (i.e. the pilot school for inclusive education and formation of a parents support group in Thimpu, and a school for visually impaired children), the Committee is concerned that children with disabilities in general have inadequate access to specialized services and education, and there is insufficient support for families.

469. The Committee recommends that the State party:

(a) Conduct a survey to assess the causes and extent of disability among children;

(b) Review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on "Children with disabilities" (see CRC/C/69);

(c) Involve children with disabilities and their families in the development of surveys and policy review;

(d) Undertake greater efforts to make available the necessary resources (e.g. professional and financial, including professional and financial support to families);

(e) Undertake greater efforts to promote and expand community-based rehabilitation programmes, including parent support groups, and inclusive education of children with all forms of disability; and

(f) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

470. Noting significant achievements in education indicators, the Committee is concerned that primary education is not compulsory; that there is still a significant gender gap in enrolment; and that there are deficiencies in access to education and the quality of teacher training.

471. The Committee recommends that the State party:

(a) Ensure that primary education is free and made compulsory;

(b) Make greater efforts to close the gender gap; and

(c) Allocate the required resources to address access to education and the quality of teacher training.

472. Noting with appreciation that the aims of education are generally in conformity with article 29 of the Convention, the Committee is concerned that human rights education, including the Convention, is not included in the school curricula.

473. Taking due regard of its General Comment No. 1 on the aims of education, the Committee recommends that the State party:

(a) Include human rights education in the curricula, particularly with respect to the development and respect for human rights, tolerance, and equality of the sexes and of religious and ethnic minorities; and

(b) Seek assistance from UNICEF and UNESCO.

8. Special measures of protection

Refugees

474. While noting that the verification process of refugees in camps in Nepal has commenced, the Committee is nevertheless concerned at the slow rate of this process and the serious and negative impact this has on the rights of children residing in these camps, particularly given that repatriation will begin only once all refugees have been verified.

475. In accordance with the principles of the best interests of the child, the right to a nationality and to the preservation of identity (articles 3, 7 and 8 of the Convention), and with a view to reaching a just and durable solution to the situation of refugees in camps in Nepal, the Committee recommends that the State party:

(a) Make greater efforts to expedite the verification process and consider the possibility of repatriating individuals within a reasonable time following individual verification;

(b) Consider a mechanism to allow individuals to appeal against decisions;

(c) Ensure that returnees are repatriated and resettled, in safety and dignity, to their place of origin or choice;

(d) Consider acceding to the 1951 Convention relating to the Status of Refugees, its 1967 Protocol, and the conventions on statelessness; and

(e) In the best interests of the children, consider seeking assistance from UNHCR.

Armed conflict

476. The Committee is concerned at the low age of 15 for voluntary enlistment in the armed forces.

477. The Committee recommends that the State party consider raising this to 18.

478. The Committee expresses its concern at the negative impact on children of reported armed insurgency in the south-central and south-eastern parts of the country.

479. **In light of article 38 and other relevant articles of the Convention, the Committee recommends that the State party:**

(a) At all times ensure respect for human rights and humanitarian law aimed at the protection and care of children affected by armed conflict; and

(b) Provide physical rehabilitation and psychological recovery measures for these children.

Child labour

480. The Committee is concerned at the absence of legislation on the minimum age for admission to employment, as well as insufficient information on children working, including in the informal sector, such as agriculture. It is concerned that an increasing number of children are dropping out of school and taking up work in urban areas (e.g. as waiters, as bus attendants, in vehicle workshops, or as domestic workers).

481. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes and extent of child labour;

(b) Establish a minimum age for admission to employment in accordance with the principles and provisions of the Convention, that is in conformity with the age of completion of education, and ensure that it is enforced; employers should be required to have, and to produce on demand, proof of age of all children working on their premises;

(c) Establish a mechanism to monitor the implementation of standards which is empowered to receive and address complaints of violations;

(d) Carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards; and

(e) Consider membership in ILO.

Sexual exploitation

482. Noting the 1993 Rape Act and the draft Immoral Trafficking Act, the Committee is concerned at the insufficient data on and awareness of the phenomenon of sexual exploitation of children in Bhutan.

483. **The Committee recommends that the State party:**

(a) Undertake a national study on the nature and extent of sexual exploitation of children (i.e. sale of children, child prostitution and child pornography), and compile and keep up to date disaggregated data to serve as a basis for designing measures and evaluating progress in this area;

(b) Review its legislation and ensure that it criminalizes the sexual exploitation of children, is gender neutral and penalizes all offenders involved, whether local or foreign, while ensuring that the child victims are not penalized;

(c) Ensure that legal procedures are simplified so that responses are appropriate, timely, and sensitive to victims;

(d) Establish rehabilitation and social reintegration programmes for child victims;

(e) Train personnel working with child victims; and

(f) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation.

Administration of juvenile justice

484. While noting the establishment of the Youth Development and Rehabilitation Centre, the Committee is nevertheless concerned at the administration of juvenile justice. In particular, it notes the absence of information on the minimum age of criminal responsibility. The Committee is also concerned that insufficient efforts have been made to ensure the speedy adoption of the draft juvenile justice and criminal procedure legislation.

485. The Committee recommends that the State party:

(a) Establish a minimum age of criminal responsibility that is in accordance with the principles and provisions of the Convention;

(b) Expedite the promulgation of the draft juvenile justice and criminal procedure laws;

(c) Ensure that the system of juvenile justice fully integrates into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(d) Ensure that the deprivation of liberty is used only as a measure of last resort, for the shortest possible time, is authorized by the court, and that persons under 18 are not detained with adults;

(e) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(f) Consider alternative measures to deprivation of liberty, such as probation, community service, or suspended sentences;

(g) Train professionals in the area of rehabilitation and social reintegration of children;

(h) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

486. The Committee encourages the State party to ratify the Opticnal Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

10. Dissemination of documentation

487. Finally, **the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.**

Monaco

488. The Committee considered the initial report of Monaco (CRC/C/28/Add.15) at its 717th and 718th meetings (see CRC/C/SR.717 and 718) held on 5 June 2001, and adopted, at the 721st meeting, held on 8 June 2001, the following concluding observations.

A. Introduction

489. The Committee welcomes the submission of the State party's initial report and the written replies to its list of issues (CRC/C/Q/MON/1). The Committee notes the constructive dialogue it had with the delegation of the State party and the detailed replies provided.

B. Positive aspects

490. The Committee notes the very positive implementation of most of the rights of the child within the State party and the fact that, in most areas, all children enjoy their rights without discrimination.

491. The Committee notes in particular an effective social security system covering persons in remunerated work.

492. The Committee welcomes the State party's ratification of the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.

493. The Committee notes the wide dissemination of copies of the Convention to all students in the State party. The Committee notes, in addition, the significant efforts made by the State party to provide programmes concerning such problems as drug abuse and the spread of HIV/AIDS to pupils in school.

C. Factors and difficulties impeding the implementation of the Convention

494. The Committee notes the difficulties posed by the presence within the total population of children living in the State party of an extremely large number of different nationalities, cultures and languages.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

495. The Committee is concerned that some legislative provisions are not in full conformity with provisions of the Convention.

496. The Committee recommends that the State party proceed with efforts to amend domestic legislation with a view to ensuring full respect for the provisions of the Convention. Noting ongoing efforts to change domestic legislation with regard to nationality, the Committee recommends withdrawal of the State party's reservation in this regard. The Committee recommends, in addition, that the State party pursue its current efforts towards ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

Declaration/reservation

497. The Committee is concerned at the State party's declaration and reservation made upon ratification of the Convention.

498. The Committee welcomes the State party's indication of its intention to withdraw its declaration made upon ratification of the Convention and its willingness to consider withdrawal of its reservation.

Child rights policy formulation and coordination

499. The Committee is concerned that the State party does not have a clear child rights policy or take a rights-based approach to implementing the Convention, and that there is no single mechanism with responsibility for coordinating implementation of the Convention.

500. The Committee recommends that the State party consider defining a child rights policy, based upon a rights-based approach to implementation of the Convention, and that a single State mechanism be provided with responsibility for the coordination of the Convention's implementation. The Committee recommends, in addition, that the State party encourage NGOs to adopt a rights-based approach to their work on behalf of children.

Monitoring

501. The Committee is concerned that there is no comprehensive monitoring and independent assessment of the Convention's implementation within the State party.

502. The Committee recommends that the State party make use of existing mechanisms, or establish a new mechanism, through which the Convention's overall implementation within the State party can be monitored and assessed. The Committee recommends that such a monitoring mechanism be independent and also provide for individual complaint procedures, including by children.

Data

503. The Committee is concerned at the lack of sufficient disaggregated data on the situation of children and on programmes to implement the Convention.

504. The Committee recommends that the State party improve its collection of disaggregated data with regard to the Convention's implementation and that this information be used for the strengthening of policies, programmes and monitoring with regard to the Convention.

2. Definition of the child

505. The Committee notes the high age of majority, 21 years, in the State party. The Committee is concerned that the State party's domestic legislation discriminates between boys and girls, providing that girls may legally marry without adult consent from age 15 and boys from age 18.

506. The Committee recommends that the State party proceed with efforts to set the age of majority at 18. The Committee recommends that the State party amend its legislation to ensure that both boys and girls are treated equally, and recommends in particular that the legal age of marriage be fixed for both boys and girls at age 18.

3. General principles

Discrimination

507. The Committee is concerned that discrimination against women in the passing on of parents' nationality persists. The Committee is concerned, in addition, that children born out of

wedlock continue to face discrimination with regard to inheritance rights. While noting the State party's efforts in this regard, the Committee is concerned at information indicating that children of all nationalities are not treated equally.

508. The Committee recommends that the State party pursue its efforts to adopt legislation establishing an equal right for men and women to pass on Monegasque nationality to their children and to ensure that children born out of wedlock benefit from the same rights as children born within marriage. In light of article 12, the Committee recommends further that the State party continue its efforts to ensure that all children, regardless of their nationality, are treated equally.

Respect for the opinions of the child

509. The Committee is concerned that children have insufficient opportunities under law to have their opinions taken into consideration, and that existing legal provisions overly restrict to specific ages those children whose opinions can be considered.

510. The Committee recommends that the State party adopt legislation and practices providing for greater flexibility in the consideration of a child's opinion, in accordance with its evolving capacities, with a view to providing greater opportunities for children to be heard.

4. Civil rights and freedoms

The right to know one's identity

511. The Committee is concerned about the lack of rules concerning in vitro-fertilization and respect for a child's right to know his or her identity.

512. The Committee recommends that the State party consider ways to ensure respect of a child's right to know his or her parents' identities, as far as possible.

Corporal punishment

513. The Committee is concerned that corporal punishment is not prohibited under law.

514. The Committee recommends that the State party prohibit the practice of corporal punishment in the family and conduct information campaigns targeting, among others, parents, children, law enforcement and judicial officials and teachers explaining children's rights in this regard and encouraging the use of alternative forms of discipline in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28.2.

Access to information

515. While noting the State party's efforts to protect children from harmful printed and cinematic material, the Committee remains concerned that children may nevertheless be exposed to harmful information through access to the Internet or videos.

516. The Committee recommends that the State party consider further means, including through the provision of advice to parents, of protecting children from information that may be harmful to them.

5. Family environment and alternative care

Social welfare assistance to the family

517. The Committee is concerned that fathers and mothers do not benefit equally from the provision of financial assistance by the State in the context of assistance to families, and that the greater access of mothers to financial aid may lead to discrimination against either, or both, fathers and mothers and have a consequentially negative effect on the rights of their children.

518. The Committee recommends that the State party establish an equal right of fathers and mothers to financial assistance related to the care of their children.

Parental responsibility

519. The Committee is concerned that parental responsibility is not assigned equally, under law, to fathers and mothers and that this may negatively affect the situation of children.

520. The Committee recommends that the State party amend its domestic legislation to ensure that men and women have equal parenting rights.

6. Basic health and welfare

Access to free health assistance

521. The Committee is concerned that while Monegasque children have a right to free health care, domestic legislation and practice do not expressly guarantee the same right to all children in the State party, in particular children from disadvantaged backgrounds and who are neither nationals nor residents of the State party.

522. The Committee recommends that the State party ensure that all children within its jurisdiction are treated equally under the law and recommends in particular, that a right to health care be provided to all children.

7. Education, leisure and cultural activities

523. The Committee is concerned that human rights education is not systematically provided in school programmes at all levels. The Committee is concerned, in addition, at the prevalence of violence in schools.

524. The Committee recommends that the State party take steps to ensure the inclusion of human rights education at all levels of school curricula. The Committee recommends further that the State party implement measures to prevent and end violence in schools.

8. Special protection measures

525. The Committee is concerned that refugee children and their families may have insufficient access to procedures for claiming refugee status in the State party because of the obligation to first comply with French refugee application procedures, about which concern has been expressed by, among others, the Human Rights Committee.

526. The Committee recommends that the State party make every effort to ensure respect for the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, including through discussions with the relevant French authorities.

Drug abuse

527. The Committee is concerned at drug abuse among children.

528. The Committee recommends that the State party implement measures to prevent and end drug abuse among children and to provide rehabilitative assistance, where needed, to children who have abused drugs.

Child labour

529. Noting the attention given by the State party to children under 16 working in a family context, the Committee is concerned that such work may interfere with children's right to education.

530. The Committee recommends that the State party continue and strengthen its efforts to ensure respect for the rights of children under 16 working in a family context, and particularly the right to education.

Ratification of the Optional Protocols

531. The Committee recommends that the State party consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict.

Dissemination of documentation

532. Finally, **in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned non-governmental organizations.**

III. INTER-SESSIONAL ACTIVITIES OF THE COMMITTEE

533. During the session, the Committee was informed by members about various meetings in which they had participated.

534. From 25 to 27 February 2001, Mrs. Karp participated in an expert meeting on the concept of the evolving capacity of the child organized by UNICEF in Florence, Italy. Mrs. Gerison Lansdown had been assigned during the meeting to prepare a working document on the subject that would enable an improved understanding of this concept as spelled out in the Convention on the Rights of the Child.

535. On 24 May 2001, Mrs. Karp gave a lecture on the issue of corporal punishment of children at a conference for social workers organized by Community Care Live in London.

536. From 14 to 16 March 2001, Mrs. Ouedraogo participated in the third regional meeting of national human rights institutions in Africa, held in Lomé. She made a presentation on the issue of trafficking and sale of girls. Participants at the meeting agreed to give increased attention to child rights within their work at the national level. From 22 to 26 March Mrs. Ouedraogo participated in a workshop organized in Ouagadougou by the Pan-African federation of associations working for mentally disabled persons. The meeting focused especially on the human rights of mentally ill children.

537. Mr. Doek participated as a resource person in a seminar in Tirana on human rights reporting and monitoring held from 14 to 16 March 2001, organized jointly by OHCHR and UNDP as part of a project on human rights capacity-building. On 10 April, Mr. Doek participated in a panel organized jointly by OHCHR and UNICEF during the fifty-seventh session of the Commission on Human Rights on racism, education and non-discrimination. On the same day he also made a presentation during a launching meeting of the global campaign against corporal punishment organized by EPOCH-Worldwide and Save the Children-Sweden.

538. During a seminar held from 8 to 10 April 2001 in Recife, Brazil, on "Social responsibility: a commitment to citizenship", organized jointly by the Government of Brazil and the United States Fulbright Commission, Mrs. Sardenberg made a presentation on the theme: "The child as a citizen: a democratic perspective". Mrs. Sardenberg also participated in a seminar on United Nations human rights treaty bodies reporting procedures in Buenos Aires

from 18 to 20 April, organized jointly by OHCHR and the Ministry of Justice of the Government of Argentina. During this meeting, she presented the reporting process under the Convention on the Rights of the Child.

IV. COOPERATION WITH UNITED NATIONS AND OTHER COMPETENT BODIES

539. At its 703rd meeting, held on 25 May 2001, the Committee adopted a statement addressed to the twenty-fifth special session of the General Assembly for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) (New York, 6-8 June 2001) (see annex VIII).

540. At its 721st meeting, held on 8 June 2001, the Committee adopted a statement to the third session of the Preparatory Committee for the Special Session of the General Assembly on Children, (New York, 11-15 June 2001) (see annex IX).

541. At its 721st meeting, held on 8 June 2001, the Committee adopted a statement to the second session of the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, (Geneva, 21 May-8 June 2001) (see annex X).

542. During the pre-sessional working group and the session, the Committee held various meetings with United Nations bodies and specialized agencies, as well as other competent bodies, in the framework of its ongoing dialogue and interaction with these bodies in the light of article 45 of the Convention.

543. On 30 January 2001, the Committee met with the following representatives of Defence for Children International (DCI): Ms. Helen Bayes, Acting Secretary-General; Mr. Frank Orlando, Director, International Network on Juvenile Justice; and Mr. Bruce Abramson, consultant. The purpose of the meeting was to discuss a research project "Juvenile justice issues in concluding observations of the United Nations Committee on the Rights of the Child", recently completed by DCI-International Network on Juvenile Justice. The report analyses the Committee's concluding observations and recommendations to States parties concerning juvenile justice (specifically articles 37, 40 and 39 of the Convention) and covers approximately 140 reports considered during the period 1993-2001. The specific recommendations of the Committee are outlined in charts that allow readers to find easily what the Committee recommended with respect to each State party. It also allows readers to track how the Committee's concluding observations have evolved since 1993. The Committee thanked the representatives of DCI and welcomed the research as a useful tool in advancing the discussion on juvenile justice.

544. On 22 May 2001, the Committee met with Mr. Miloon Kothari, Special Rapporteur of the Commission on Human Rights on adequate housing as a component of the right to an adequate standard of living. Mr. Kothari briefed the Committee on his activities during the first months of his new mandate, established by Commission resolution 2000/9. He pointed out to the Committee that child rights were discussed in his first report to the Commission (E/CN.4/2001/51), both in the section on the legal status of the right to adequate housing and in

the section on priority issues and impediments to realizing the right. The prevention of homelessness for children and the protection of the rights of children living in the streets, an issue of particular interest to the Committee, have been singled out by the Special Rapporteur for particular attention. Mr. Kothari pointed out to the Committee that the review he had conducted of its concluding observations also highlighted the links that he intended to underline between the right to adequate housing and the provision of clean water and sanitation, as well as the importance of addressing poverty in this context.

545. Mr. Kothari and the Committee discussed further several issues of common interest, including the relevance of gender and ethnic discrimination, the issue of forced evictions, the importance of macro-economic factors, the concept of "safety" as an indispensable element of the right to "secure" housing, and the interesting connections between the right to adequate housing and the right to privacy, as well as the right to the highest attainable standard of health (including mental health). Committee members welcomed the initiatives of the Special Rapporteur to facilitate collaboration between his mandate and the human rights treaty bodies. The discussion highlighted the need to ensure an efficient exchange of information and to maintain an ongoing productive dialogue, involving both treaty bodies and the Special Rapporteur, as well as other relevant human rights mechanisms.

546. On 23 May 2001, the Committee met with Ms. Jenny Kuper, Visiting Research Associate at the London School of Economics and Political Science. She presented her current research exploring the reasons why children in situations of armed conflict are frequently ill-treated by military personnel and looking at the ways military personnel are trained on child rights norms and standards. The study is seeking to gather all existing relevant legal instruments dealing with the treatment of children in armed conflict and provide an overview of training materials currently used for military personnel in a number of countries. The Committee welcomed the initiative and expressed its views on several issues covered by this project. It underlined the need to select a range of countries which are representative of the various systems of military training used in the world.

547. On 28 May, the Committee met with Mr. Rory Mungoven, Coordinator of the Coalition to Stop the Use of Child Soldiers, and representatives of the Coalition's Steering Committee (the Quakers, World Vision and Defence for Children-International). Mr. Mungoven made a presentation on the work done by the Coalition since its establishment in June 1998 and informed the Committee about the launch of a Global Report on the Use of Child soldiers, on 12 June 2001, which covers the situation in about 180 countries. He also expressed the wish of the Coalition to provide the Committee with information on States parties. The Committee welcomed this initiative and discussed the Optional Protocol on the involvement of children in armed conflict. Several issues were raised such as reservations, binding declarations under article 3 of the Optional Protocol, voluntary recruitment and armed groups. The Coalition also informed the Committee about its work for accelerating the process of ratification of the Optional Protocol.

548. On 29 May 2001, the Committee met with Mr. Masaru Watanabe (Counsellor at the Permanent Mission of Japan in Geneva); Ms. Karin Landgren and Mr. Gopalan Balagopal (UNICEF) to discuss on the Second World Congress against Commercial Sexual Exploitation, to be held in Yokohama from 17 to 20 December 2001. Mr. Watanabe provided the Committee

with information on the status of the preparations for the World Congress, hosted by the Government of Japan and co-organized with UNICEF, ECPAT (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes) and the NGO Group for the Convention on the Rights of the Child. The main objective of the Congress is to review progress on the implementation by States of the 1996 Stockholm Agenda for Action. The Congress should also identify the main obstacles encountered in implementing the Agenda, identify new developments and share good practices in combating the phenomenon.

549. An International Planning Committee has been set up for the preparation of this Congress. International experts are preparing background papers on the six themes which will be addressed during the Congress: (a) Trafficking in Children for Sexual Purposes; (b) Legislation and Law Enforcement; (c) Child Pornography; (d) Role and Responsibility of the Private Sector; (e) Prevention, Protection and Recovery of Children from Sexual Exploitation; (f) Profile of the Sex Exploiter. Finally, Mr. Watanabe indicated that participants at the World Congress will be government delegations, non-governmental organizations, United Nations and other relevant intergovernmental bodies, private sector representatives and media. UNICEF representatives said that six regional consultations would be held from October to the end of November 2001 in Washington D.C., Bangkok, Casablanca, Dhaka, Montevideo and Budapest. Children and young people will also participate in the World Congress and will meet from 13 to 16 December in Kawasaki, Japan, for a special event.

550. The Committee expressed its gratitude to the Government of Japan for hosting the World Congress. It underlined that the Convention should be given a high profile during the process leading to the World Congress and the Congress itself, since it is the key international instrument on the rights of the child. Furthermore, the Committee expressed the wish that the Optional Protocol on the sale of children, child prostitution and child pornography be duly taken into consideration and that measures should be taken for promoting its ratification.

551. On Friday 1 June, Mrs. Roberta Cecchetti, and Mr. Sylvain Vité of the World Organization against Torture briefed the Committee on a conference to be held in Tampere, Finland, from 27 November to 2 December 2001 on: "The International Conference on Children, Torture and Other Forms of Violence: Facing the Facts, Forging the Future". The three main discussion topics of the conference are: (a) definition of torture within the framework of the rights of the child; (b) absence of a specific United Nations mechanism to address violence against children; (c) international United Nations study on violence against children. The members expressed the challenges in defining torture in a matter that would encompass the different and unique issues that are faced by children. They welcomed the initiative and expressed their support.

552. Members of the Committee met with Mr. Jean Ziegler, Special Rapporteur of the Commission on the right to food, on 5 June 2001. The Special Rapporteur recalled that his mandate had been adopted during the fifty-sixth session of the Commission on Human Rights (resolution 2000/10) and that he was particularly interested in the right to food as it applies to human beings under 18 years old. The Special Rapporteur's work will focus on mainstreaming the right to food in the work of the United Nations and its agencies and bodies and encouraging States to adopt legislation on the right to food. To achieve the latter objective he will cooperate with the Inter-Parliamentary Union (IPU). Mr. Ziegler suggested some possible areas of

cooperation with the Committee in order to enhance the understanding and implementation of the right to food. He noted that the right to food was generally poorly monitored at the international level and therefore the work of the Committee was essential. The Committee noted with satisfaction the importance the Special Rapporteur attributed to the right to food for children and insisted on the holistic dimensions of this issue. It welcomed future collaboration, including in relation to the forthcoming Rome + 5 World Food Conference.

553. On 6 June 2001, the Committee met with three representatives of the Network for protecting the rights of the child when they are in the deportation procedure, a Japanese NGO. Mr. Tomizawa, Mr. Kokuhi and Mr. Kamori shared with the Committee the difficult situation of illegal foreign children entering Japan with their families and placed in immigration centres.

554. The Committee met on 7 June with Mr. Brian Burdekin, Special Adviser to the High Commissioner for Human Rights on national human rights Institution. Mr. Burdekin presented OHCHR's work in the field of assistance and advisory services to support the establishment of national human rights institutions within States. He referred to the Paris Principles (General Assembly resolution 48/134) as the fundamental framework for the establishment and functioning of these institutions. He discussed four major principles for their functioning: independence and autonomy, accessibility, a broad-based mandate and appropriate resources. Approximately 60 States had established such institutions, though the format and work of each one has its own particularities. Mr. Burdekin explained that national independent monitoring mechanisms often faced two types of limitations: their fragile independence and severe under-resourcing. He noted that national human rights institutions had shown in some countries that they can have a decisive role in monitoring and enhancing child rights. He told Committee members that OHCHR was open to any type of cooperation with the Committee in order to facilitate the work of these institutions in the field of the human rights of children. The Committee noted with interest the work of the Office in this field and made suggestions as to possible collaboration, including for the drafting of a general comment on the child rights dimension within the work of national human rights institutions and a meeting between members of the Committee and members of these institutions to enhance their work on child rights.

V. GENERAL COMMENTS

555. At its 710th meeting, held on 30 May 2001, the Committee discussed possible issues for the drafting of future general comments and decided to continue this discussion at its twenty-eighth session.

VI. DRAFT PROVISIONAL AGENDA FOR THE TWENTY-EIGHTH SESSION

556. The following is the draft provisional agenda for the twenty-eighth session of the Committee:

1. Adoption of the agenda.
2. Organizational matters.
3. Submission of reports by States parties.

4. Consideration of reports of States parties.

5. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.

6. Day of general discussion.

7. Methods of work of the Committee.

8. General comments.

9. Future meetings.

10. Other matters.

VII. ADOPTION OF THE REPORT

557. At its 721st meeting, held on 8 June 2001 the Committee considered the draft report on its twenty-seventh session. The report was adopted unanimously by the Committee.

Annex I

STATES WHICH HAVE RATIFIED OR ACCEDED TO THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 12 JULY 2001 (191)

States	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993[a]	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992[a]	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992[a]	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina[b]			6 March 1992
Botswana		14 March 1995[a]	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995[a]	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993

States	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992[a]	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993[a]	13 November 1993
Cook Islands		6 June 1997[a]	6 July 1997
Costa Rica	26 January 1990	21 August 1990	20 September 1990
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia[b]			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic[b]			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Democratic Republic of Congo	20 March 1990	27 September 1990	27 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992[a]	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991[a]	20 November 1991
Ethiopia		14 May 1991[a]	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994[a]	2 July 1994

States	Date of Signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990[a]	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992[a]	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994[a]	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakhstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995[a]	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991[a]	7 June 1991
Latvia		14 April 1992[a]	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993[a]	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996

States	Date of Signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Lithuania		31 January 1992[a]	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991[a]	1 February 1991
Malaysia		17 February 1995[a]	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990[a]	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993[a]	4 June 1993
Monaco		21 June 1993[a]	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991[a]	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994[a]	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995[a]	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Oman		9 December 1996[a]	8 January 1997
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995[a]	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993[a]	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993[a]	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991[a]	25 December 1991
Sao Tome and Principe		14 May 1991[a]	13 June 1991
Saudi Arabia		26 January 1996[a]	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990[a]	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995[a]	4 November 1995
Slovakia[b]			1 January 1993
Slovenia[b]			25 June 1991
Solomon Islands		10 April 1995[a]	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Switzerland	1 May 1991	24 February 1997	26 March 1997
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993[a]	25 November 1993
Thailand		27 March 1992[a]	26 April 1992
The former Yugoslav Republic of Macedonia[b]			17 September 1991

States	Date of Signature	Date of receipt of instrument of ratification/ accession[a]	Date of entry into force
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995[a]	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993[a]	19 October 1993
Tuvalu		22 September 1995[a]	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991
United Arab Emirates		3 January 1997[a]	2 February 1997
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994[a]	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

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[a] Accession.

[b] Succession.

Annex II

STATES WHICH HAVE SIGNED OR RATIFIED THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT AS AT 12 JULY 2001 (4)

(not yet entered into force)

States	Date of signature	Date of receipt of instrument of ratification/accession[a]
Andorra	7 September 2000	30 April 2001
Argentina	15 June 2000	
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belgium	6 September 2000	
Belize	6 September 2000	
Benin	22 February 2001	
Bosnia and Herzegovina	7 September 2000	
Brazil	6 September 2000	
Bulgaria	8 June 2001	
Cambodia	27 June 2000	
Canada	5 June 2000	7 July 2000
China	15 March 2001	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	
Czech Republic	6 September 2000	
Democratic Republic of the Congo	8 September 2000	
Denmark	7 September 2000	
Ecuador	6 September 2000	
El Salvador	18 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	

States	Date of signature	Date of receipt of instrument of ratification/accession[a]
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	
Iceland	7 September 2000	
Ireland	7 September 2000	
Italy	6 September 2000	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	
Kenya	8 September 2000	
Lesotho	6 September 2000	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Mali	8 September 2000	
Malta	7 September 2000	
Mexico	7 September 2000	
Monaco	26 June 2000	
Morocco	8 September 2000	
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	
Netherlands	7 September 2000	
New Zealand	7 September 2000	
Nigeria	8 September 2000	
Norway	13 June 2000	
Paraguay	13 September 2000	
Panama	31 October 2000	
Peru	1 November 2000	
Philippines	8 September 2000	
Portugal	6 September 2000	

States	Date of signature	Date of receipt of instrument of ratification/accession[a]
Republic of Korea	6 September 2000	
Romania	6 September 2000	
Russian Federation	15 February 2001	
San Marino	5 June 2000	
Senegal	8 September 2000	
Seychelles	23 January 2001	
Sierra Leone	8 September 2000	
Singapore	7 September 2000	
Slovenia	8 September 2000	
Spain	6 September 2000	
Sri Lanka	21 August 2000	8 September 2000
Sweden	8 June 2000	
Switzerland	7 September 2000	
Turkey	8 September 2000	
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	

Annex III

STATES WHICH HAVE SIGNED OR RATIFIED THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY AS AT 12 JULY 2001 (4)

(not yet entered into force)

States	Date of signature	Date of receipt of instrument of ratification/accession
Andorra	7 September 2000	30 April 2001
Austria	6 September 2000	
Azerbaijan	8 September 2000	
Bangladesh	6 September 2000	6 September 2000
Belgium	6 September 2000	
Bulgaria	8 June 2001	
Belize	6 September 2000	
Bosnia and Herzegovina	7 September 2000	
Brazil	6 September 2000	
Cambodia	27 June 2000	
Chile	28 June 2000	
Cyprus	8 February 2001	
China	6 September 2000	
Colombia	6 September 2000	
Costa Rica	7 September 2000	
Cuba	13 October 2000	
Denmark	7 September 2000	
Ecuador	6 September 2000	
Finland	7 September 2000	
France	6 September 2000	
Gabon	8 September 2000	
Gambia	21 December 2000	
Germany	6 September 2000	
Greece	7 September 2000	
Guatemala	7 September 2000	

States	Date of signature	Date of receipt of instrument of ratification/accession
Guinea-Bissau	8 September 2000	
Holy See	10 October 2000	
Iceland	7 September 2000	9 July 2001
Ireland	7 September 2000	
Italy	6 September 2000	
Jamaica	8 September 2000	
Jordan	6 September 2000	
Kazakhstan	6 September 2000	
Kenya	8 September 2000	
Lesotho	6 September 2000	
Liechtenstein	8 September 2000	
Luxembourg	8 September 2000	
Madagascar	7 September 2000	
Malawi	7 September 2000	
Malta	7 September 2000	
Mexico	7 September 2000	
Monaco	26 June 2000	
Morocco	8 September 2000	
Namibia	8 September 2000	
Nauru	8 September 2000	
Nepal	8 September 2000	
Netherlands	7 September 2000	
New Zealand	7 September 2000	
Nigeria	8 September 2000	
Norway	13 June 2000	
Panama	31 October 2000	9 February 2001
Paraguay	13 September 2000	
Peru	1 November 2000	
Philippines	8 September 2000	
Portugal	6 September 2000	
Republic of Korea	6 September 2000	
Romania	6 September 2000	
San Marino	5 June 2000	
Senegal	8 September 2000	
Seychelles	23 January 2001	

States	Date of signature	Date of receipt of instrument of ratification/accession
Sierra Leone	8 September 2000	
Slovenia	8 September 2000	
Spain	6 September 2000	
Sweden	8 September 2000	
Switzerland	7 September 2000	
Turkey	8 September 2000	
Ukraine	7 September 2000	
United Kingdom of Great Britain and Northern Ireland	7 September 2000	
United States of America	5 July 2000	
Uruguay	7 September 2000	
Venezuela	7 September 2000	
Viet Nam	8 September 2000	

Annex IV

MEMBERSHIP OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

Name of member	Country of nationality
Mr. Ibrahim Abdul Aziz AL-SHEDDI**	Saudi Arabia
Ms. Ghalia Mohd Bin Hamad AL-THANI**	Qatar
Ms. Saisuree CHUTIKUL**	Thailand
Mr. Luigi CITARELLA**	Italy
Mr. Jacob Egbert DOEK*	Netherlands
Ms. Amina Hamza EL GUINDI*	Egypt
Ms. Judith KARP*	Israel
Ms. Awa N'Deye OUEDRAOGO*	Burkina Faso
Ms. Marilia SARDENBERG**	Brazil
Ms. Elisabeth TIGERSTEDT-TÄHTELÄ*	Finland

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* Term expires on 28 February 2003.

** Term expires on 28 February 2005.

Annex V

STATUS OF SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION ON THE RIGHTS OF THE CHILD AS AT 12 JULY 2001

Initial reports due in 1992

State party	Date of entry into force	Date due	Date of submission	Symbol
Bangladesh	2 September 1990	1 September 1992	15 November 1995	CRC/C/3/Add.38 and Add.49
Barbados	8 November 1990	7 November 1992	12 September 1996	CRC/C/3/Add.45
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14
Belize	2 September 1990	1 September 1992	1 November 1996	CRC/C/3/Add.46
Benin	2 September 1990	1 September 1992	22 January 1997	CRC/C/3/Add.52
Bhutan	2 September 1990	1 September 1992	20 April 1999	CRC/C/3/Add.59
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992	19 March 1998	CRC/C/3/Add.58
Chad	1 November 1990	31 October 1992	14 January 1997	CRC/C/3/Add.50
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992	13 February 1996	CRC/C/3/Add.41
Democratic Republic of the Congo	27 October 1990	26 October 1992	16 February 1998	CRC/C/3/Add.57
Ecuador	2 September 1990	1 September 1992	11 June 1996	CRC/C/3/Add.44
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9 and Add.28
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992	20 November 1999	CRC/C/3/Add.61

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Ghana	2 September 1990	1 September 1992	20 November 1995	CRC/C/3/Add.39
Grenada	5 December 1990	4 December 1992	24 September 1997	CRC/C/3/Add.55
Guatemala	2 September 1990	1 September 1992	5 January 1995	CRC/C/3/Add.33
Guinea	2 September 1990	1 September 1992	20 November 1996	CRC/C/3/Add.48
Guinea-Bissau	19 September 1990	18 September 1992	6 September 2000	CRC/C/3/Add.63
Holy See	2 September 1990	1 September 1992	2 March 1994	CRC/C/3/Add.27
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add.17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add.10 and Add.26
Kenya	2 September 1990	1 September 1992	13 January 2000	CRC/C/3/Add.62
Mali	20 October 1990	19 October 1992	2 April 1997	CRC/C/3/Add.53
Malta	30 October 1990	29 October 1992	26 December 1997	CRC/C/3/Add.56
Mauritius	2 September 1990	1 September 1992	25 July 1995	CRC/C/3/Add.36
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add.11
Mongolia	2 September 1990	1 September 1992	20 October 1994	CRC/C/3/Add.32
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add.12
Nepal	14 October 1990	13 October 1992	10 April 1995	CRC/C/3/Add.34
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add.25
Niger	30 October 1990	29 October 1992	28 December 2000	CRC/C/3/Add.29/Rev.1
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add.13
Paraguay	25 October 1990	24 October 1992	30 August 1993 and 13 November 1996	CRC/C/3/Add.22 and Add.47
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add.7 and Add.24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add.23
Portugal	21 October 1990	20 October 1992	17 August 1994	CRC/C/3/Add.30
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add.16
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add.5

Initial reports due in 1992 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Saint Kitts and Nevis	2 September 1990	1 September 1992	21 January 1997	CRC/C/3/Add.51
Senegal	2 September 1990	1 September 1992	12 September 1994	CRC/C/3/Add.31
Seychelles	7 October 1990	6 October 1992	7 February 2001	CRC/C/3/Add.64
Sierra Leone	2 September 1990	1 September 1992	10 April 1996	CRC/C/3/Add.43
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992	27 February 1996	CRC/C/3/Add.42
Uganda	16 September 1990	15 September 1992	1 February 1996	CRC/C/3/Add.40
Uruguay	20 December 1990	19 December 1992	2 August 1995	CRC/C/3/Add.37
Venezuela	13 October 1990	12 October 1992	9 July 1997	CRC/C/3/Add.54
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and Add.21
Zimbabwe	11 October 1990	10 October 1992	23 May 1995	CRC/C/3/Add.35

Initial reports due in 1993

State party	Date of entry into force	Date due	Date of submission	Symbol
Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993		
Australia	16 January 1991	15 January 1993	17 March 1993	CRC/C/8/Add.2 and Add.17
Bahamas	22 March 1991	21 March 1993	8 January 1996	CRC/C/8/Add.31
Bulgaria	3 July 1991	2 July 1993	29 September 1995	CRC/C/8/Add.29
Colombia	7 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993	22 January 1998	CRC/C/8/Add.41
Croatia	7 November 1991	6 November 1993	8 November 1994	CRC/C/8/Add.19
Cuba	20 September 1991	19 September 1993	27 October 1995	CRC/C/8/Add.30
Cyprus	9 March 1991	8 March 1993	22 December 1994	CRC/C/8/Add.24

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add.8
Djibouti	5 January 1991	4 January 1993	17 February 1998	CRC/C/8/Add.39
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993	1 December 1999	CRC/C/8/Add.40
Estonia	20 November 1991	19 November 1993	7 June 2001	CRC/C/8/Add.45
Ethiopia	13 June 1991	12 June 1993	10 August 1995	CRC/C/8/Add.27
Finland	20 July 1991	19 July 1993	12 December 1994	CRC/C/8/Add.22
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993	28 June 1996	CRC/C/8/Add.34
Israel	2 November 1991	1 November 1993	20 February 2001	CRC/C/8/Add.44
Italy	5 October 1991	4 October 1993	11 October 1994	CRC/C/8/Add.18
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add.12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add.4
Kuwait	20 November 1991	19 November 1993	23 August 1996	CRC/C/8/Add.35
Lao People's Democratic Republic	7 June 1991	6 June 1993	18 January 1996	CRC/C/8/Add.32
Lebanon	13 June 1991	12 June 1993	21 December 1994	CRC/C/8/Add.23
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add.5
Malawi	1 February 1991	31 January 1993	1 August 2000	CRC/C/8/Add.43
Maldives	13 March 1991	12 March 1993	6 July 1994	CRC/C/8/Add.33 and Add.37
Mauritania	15 June 1991	14 June 1993	18 January 2000	CRC/C/8/Add.42
Myanmar	14 August 1991	13 August 1993	14 September 1995	CRC/C/8/Add.9
Nigeria	19 May 1991	18 May 1993	19 July 1995	CRC/C/8/Add.26
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add.7
Panama	11 January 1991	10 January 1993	19 September 1995	CRC/C/8/Add.28
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add.11
Republic of Korea	20 December 1991	19 December 1993	17 November 1994	CRC/C/8/Add.21
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Slovenia	25 June 1991	24 June 1993	29 May 1995	CRC/C/8/Add.25

Initial reports due in 1993 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993	23 March 1994	CRC/C/8/Add.13
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993	4 March 1997	CRC/C/8/Add.36
Ukraine	27 September 1991	26 September 1993	8 October 1993	CRC/C/8/Add.10/Rev.1
United Republic of Tanzania	10 July 1991	9 July 1993	20 October 1999	CRC/C/8/Add.14/Rev.1
Yemen	31 May 1991	30 May 1993	14 November 1994	CRC/C/8/Add.20 and Add.38
Yugoslavia	2 February 1991	1 February 1993	21 September 1994	CRC/C/8/Add.16

Initial reports due in 1994

Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994	8 October 1996	CRC/C/11/Add.14
Azerbaijan	12 September 1992	11 September 1994	9 November 1995	CRC/C/11/Add.8
Bahrain	14 March 1992	14 March 1994	3 August 2000	CRC/C/11/Add.24
Belgium	15 January 1992	14 January 1994	12 July 1994	CRC/C/11/Add.4
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994	18 December 1997	CRC/C/11/Add.16
Canada	12 January 1992	11 January 1994	17 June 1994	CRC/C/11/Add.3
Cape Verde	4 July 1992	3 July 1994	30 November 1999	CRC/C/11/Add.23
Central African Republic	23 May 1992	23 May 1994	15 April 1998	CRC/C/11/Add.18

Initial reports due in 1994 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
China	1 April 1992	31 March 1994	27 March 1995	CRC/C/11/Add.7
Czech Republic	1 January 1993	31 December 1994	4 March 1996	CRC/C/11/Add.11
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994	30 August 1994	CRC/C/11/Add.5
Iceland	27 November 1992	26 November 1994	30 November 1994	CRC/C/11/Add.6
Ireland	28 October 1992	27 October 1994	4 April 1996	CRC/C/11/Add.12
Latvia	14 May 1992	13 May 1994	25 November 1998	CRC/C/11/Add.22
Lesotho	9 April 1992	8 April 1994	27 April 1998	CRC/C/11/Add.20
Lithuania	1 March 1992	28 February 1994	6 August 1998	CRC/C/11/Add.21
Slovakia	1 January 1993	31 December 1994	6 April 1998	CRC/C/11/Add.17
Thailand	26 April 1992	25 April 1994	23 August 1996	CRC/C/11/Add.13
Trinidad and Tobago	4 January 1992	3 January 1994	16 February 1996	CRC/C/11/Add.10
Tunisia	29 February 1992	28 February 1994	16 May 1994	CRC/C/11/Add.2
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994	15 March 1994	CRC/C/11/Add.1, Add.9, Add.15 and Add.15/Corr.1, Add.19
Zambia	5 January 1992	4 January 1994		

Initial reports due in 1995

State party	Date of entry into force	Date due	Date of submission	Symbol
Algeria	16 May 1993	15 May 1995	16 November 1995	CRC/C/28/Add.4
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995	19 February 1997	CRC/C/28/Add.9
Cameroon	10 February 1993	9 February 1995	3 April 2000	CRC/C/28/Add.16
Comoros	22 July 1993	21 July 1995	24 March 1998	CRC/C/28/Add.13

Initial reports due in 1995 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Congo	13 November 1993	12 November 1995		
Fiji	12 September 1993	11 September 1995	12 June 1996	CRC/C/28/Add.7
Greece	10 June 1993	9 June 1995	14 April 2000	CRC/C/28/Add.17
India	11 January 1993	10 January 1995	19 March 1997	CRC/C/28/Add.10
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995	23 May 1996	CRC/C/28/Add.6
Marshall Islands	3 November 1993	2 November 1995	18 March 1998	CRC/C/28/Add.12
Micronesia (Federated States of)	4 June 1993	3 June 1995	16 April 1996	CRC/C/28/Add.5
Monaco	21 July 1993	20 July 1995	9 June 1999	CRC/C/28/Add.15
Morocco	21 July 1993	20 July 1995	27 July 1995	CRC/C/28/Add.1
New Zealand	6 May 1993	5 May 1995	29 September 1995	CRC/C/28/Add.3
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995	5 February 2001	CRC/C/28/Add.19
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995	5 December 2001	CRC/C/28/Add.18
Suriname	31 March 1993	31 March 1995	13 February 1998	CRC/C/28/Add.11
Syrian Arab Republic	14 August 1993	13 August 1995	22 September 1995	CRC/C/28/Add.2
Tajikistan	25 November 1993	24 November 1995	14 April 1998	CRC/C/28/Add.14
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995	27 January 1997	CRC/C/28/Add.8

Initial reports due in 1996

State party	Date of entry into force	Date due	Date of submission	Symbol
Afghanistan	27 April 1994	26 April 1996		
Gabon	11 March 1994	10 March 1996	21 June 2000	CRC/C/41/Add.10
Luxembourg	6 April 1994	5 April 1996	26 July 1996	CRC/C/41/Add.2
Japan	22 May 1994	21 May 1996	30 May 1996	CRC/C/41/Add.1
Mozambique	26 May 1994	25 May 1996	21 June 2000	CRC/C/41/Add.11
Georgia	2 July 1994	1 July 1996	7 April 1997	CRC/C/41/Add.4
Iraq	15 July 1994	14 July 1996	6 August 1996	CRC/C/41/Add.3
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	7 September 1994	6 September 1996	26 May 1999	CRC/C/41/Add.7
Uzbekistan	29 July 1994	28 July 1996	27 December 1999	CRC/C/41/Add.8
Iran (Islamic Republic of)	12 August 1994	11 August 1996	9 December 1997	CRC/C/41/Add.5
Nauru	26 August 1994	25 August 1996		
Eritrea	2 September 1994	1 September 1996		
Kazakhstan	11 September 1994	10 September 1996		
Kyrgyzstan	6 November 1994	5 November 1996	16 February 1998	CRC/C/41/Add.6
Samoa	29 December 1994	28 December 1996		

Initial reports due in 1997

State party	Date of entry into force	Date due	Date of submission	Symbol
Netherlands	7 March 1995	6 March 1997	15 May 1997	CRC/C/51/Add.1
Malaysia	19 March 1995	18 March 1997		
Botswana	13 April 1995	12 April 1997		
Qatar	3 May 1995	2 May 1997	29 October 1999	CRC/C/51/Add.5
Turkey	4 May 1995	3 May 1997		

Initial reports due in 1997 (continued)

State party	Date of entry into force	Date due	Date of submission	Symbol
Solomon Islands	10 May 1995	9 May 1997	28 February 2001	CRC/C/51/Add.6
Haiti	8 July 1995	7 July 1997	3 April 2001	CRC/C/51/Add.7
South Africa	16 July 1995	15 July 1997	4 December 1997	CRC/C/51/Add.2
Palau	3 September 1995	3 September 1997	21 October 1998	CRC/C/51/Add.3
Swaziland	6 October 1995	5 October 1997		
Tuvalu	22 October 1995	21 October 1997		
Singapore	4 November 1995	3 November 1997		
Tonga	6 December 1995	5 December 1997		

Initial reports due in 1998

State party	Date of entry into force	Date due	Date of submission	Symbol
Kiribati	10 January 1996	9 January 1998		
Niue	19 January 1996	18 January 1998		
Liechtenstein	21 January 1996	20 January 1998	22 September 1998	CRC/C/61/Add.1
Brunei Darussalam	26 January 1996	25 January 1998		
Andorra	1 February 1996	31 January 1998	27 July 2000	CRC/C/61/Add.3
Saudi Arabia	25 February 1996	24 February 1998	21 October 1999	CRC/C/61/Add.2

Initial reports due in 1999

State party	Date of entry into force	Date due	Date of submission	Symbol
Oman	8 January 1997	7 January 1999	5 July 1999	CRC/C/78/Add.1
United Arab Emirates	2 February 1997	1 February 1999	15 April 2000	CRC/C/78/Add.2
Switzerland	26 March 1997	25 March 1999	19 January 2001	CRC/C/78/Add.3
Cook Islands	6 July 1997	5 July 1999		

Initial reports due in 2000

State party	Date of entry into force	Date due	Date of submission	Symbol
Netherlands (Netherlands Antilles)	17 February 1998	16 February 2000	22 January 2001	CRC/C/107/Add.1

Second periodic reports due in 1997

State party	Date due	Date of submission	Symbol
Bangladesh	1 September 1997	12 June 2001	CRC/C/65/Add.21
Barbados	7 November 1997		
Belarus	30 October 1997	20 May 1999	CRC/C/65/Add.14
Belize	1 September 1997		
Benin	1 September 1997		
Bhutan	1 September 1997		
Bolivia	1 September 1997	12 August 1997	CRC/C/65/Add.1
Brazil	23 October 1997		
Burkina Faso	29 September 1997	11 October 1999	CRC/C/65/Add.18
Burundi	17 November 1997		
Chad	31 October 1997		
Chile	11 September 1997	10 February 1999	CRC/C/65/Add.13
Costa Rica	20 September 1997	20 January 1998	CRC/C/65/Add.7
Democratic People's Republic of Korea	20 October 1997		
Democratic Republic of the Congo	26 October 1997		
Ecuador	1 September 1997		
Egypt	1 September 1997	18 September 1998	CRC/C/65/Add.9
El Salvador	1 September 1997		
France	5 September 1997		
Gambia	6 September 1997		

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Ghana	1 September 1997		
Grenada	4 December 1997		
Guatemala	1 September 1997	7 October 1998	CRC/C/65/Add.10
Guinea	1 September 1997		
Guinea-Bissau	18 September 1997		
Holy See	1 September 1997		
Honduras	8 September 1997	18 September 1997	CRC/C/65/Add.2
Indonesia	4 October 1997		
Kenya	1 September 1997		
Mali	19 October 1997		
Malta	29 October 1997		
Mauritius	1 September 1997		
Mexico	20 October 1997	14 January 1998	CRC/C/65/Add.6
Mongolia	1 September 1997		
Namibia	29 October 1997		
Nepal	13 October 1997		
Nicaragua	3 November 1997	12 November 1997	CRC/C/65/Add.4
Niger	29 October 1997		
Pakistan	11 December 1997	19 January 2001	CRC/C/65/Add.20
Paraguay	24 October 1997	12 October 1998	CRC/C/65/Add.12
Peru	3 October 1997	25 March 1998	CRC/C/65/Add.8
Philippines	19 September 1997		
Portugal	20 October 1997	8 October 1998	CRC/C/65/Add.11
Romania	27 October 1997	18 January 2000	CRC/C/65/Add.19
Russian Federation	14 September 1997	12 January 1998	CRC/C/65/Add.5

Second periodic reports due in 1997 (continued)

State party	Date due	Date of submission	Symbol
Saint Kitts and Nevis	1 September 1997		
Senegal	1 September 1997		
Seychelles	6 October 1997		
Sierra Leone	1 September 1997		
Sudan	1 September 1997	7 July 1999	CRC/C/65/Add.15
Sweden	1 September 1997	25 September 1997	CRC/C/65/Add.3
Togo	1 September 1997		
Uganda	15 September 1997		
Uruguay	19 December 1997		
Venezuela	12 October 1997		
Viet Nam	1 September 1997	10 May 2000	CRC/C/65/Add.20
Zimbabwe	10 October 1997		

Second periodic reports due in 1998

Angola	3 January 1998		
Argentina	2 January 1998	12 August 1999	CRC/C/70/Add.16
Australia	15 January 1998		
Bahamas	21 March 1998		
Bulgaria	2 July 1998		
Colombia	26 February 1998	9 September 1998	CRC/C/70/Add.5
Côte d'Ivoire	5 March 1998		
Croatia	7 October 1998		
Cuba	19 September 1998		
Cyprus	8 March 1998	15 September 2000	CRC/C/70/Add.16
Denmark	17 August 1998	15 September 1998	CRC/C/70/Add.6
Djibouti	4 January 1998		
Dominica	11 April 1998		
Dominican Republic	10 July 1998		
Estonia	19 November 1998		

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Ethiopia	12 June 1998	28 September 1998	CRC/C/70/Add.7
Finland	19 July 1998	3 August 1998	CRC/C/70/Add.3
Guyana	12 February 1998		
Hungary	5 November 1998		
Israel	1 November 1998		
Italy	4 October 1998	21 March 2000	CRC/C/70/Add.13
Jamaica	12 June 1998	16 May 2000	CRC/C/70/Add.15
Jordan	22 June 1998	5 August 1998	CRC/C/70/Add.4
Kuwait	19 November 1998		
Lao People's Democratic Republic	6 June 1998		
Lebanon	12 June 1998	4 December 1998	CRC/C/70/Add.8
Madagascar	17 April 1998	12 February 2001	CRC/C/70/Add.18
Malawi	31 January 1998		
Maldives	12 March 1998		
Mauritania	14 June 1998		
Myanmar	13 August 1998		
Nigeria	18 May 1998		
Norway	6 February 1998	1 July 1998	CRC/C/70/Add.2
Panama	10 January 1998		
Poland	6 July 1998	2 December 1999	CRC/C/70/Add.12
Republic of Korea	19 December 1998	1 May 2000	CRC/C/70/Add.14
Rwanda	22 February 1998		
San Marino	24 December 1998		
Sao Tome and Principe	12 June 1998		
Slovenia	24 June 1998		

Second periodic reports due in 1998 (continued)

State party	Date due	Date of submission	Symbol
Spain	4 January 1998	1 June 1999	CRC/C/70/Add.9
Sri Lanka	10 August 1998	21 September 2000	CRC/C/70/Add.17
The former Yugoslav Republic of Macedonia	16 September 1998		
Ukraine	26 September 1998	12 August 1999	CRC/C/70/Add.11
United Republic of Tanzania	9 July 1998		
Yemen	30 May 1998	3 February 1998	CRC/C/70/Add.1
Yugoslavia	1 February 1998		

Second periodic reports due in 1999

State party	Date due	Date of submission	Symbol
Albania	27 March 1999		
Austria	4 September 1999		
Azerbaijan	11 September 1999		
Bahrain	14 March 1999		
Belgium	15 January 1999	7 May 1999	CRC/C/83/Add.2
Bosnia and Herzegovina	5 March 1999		
Cambodia	15 November 1999		
Canada	11 January 1999	3 May 2001	CRC/C/83/Add.6
Cape Verde	3 July 1999		
Central African Republic	23 May 1999		
China	31 March 1999		
Czech Republic	31 December 1999	3 March 2000	CRC/C/83/Add.4
Equatorial Guinea	14 July 1999		
Germany	4 May 1999		
Iceland	26 November 1999	27 April 2000	CRC/C/83/Add.5
Ireland	27 October 1999		
Latvia	13 May 1999		
Lesotho	8 April 1999		
Lithuania	28 February 1999		
Slovakia	31 December 1999		

Second periodic reports due in 1999 (continued)

State party	Date due	Date of submission	Symbol
Thailand	25 April 1999		
Trinidad and Tobago	3 January 1999		
Tunisia	28 February 1999	16 March 1999	CRC/C/83/Add.1
United Kingdom of Great Britain and Northern Ireland	14 January 1999	14 September 1999	CRC/C/83/Add.3
Zambia	4 January 1999		

Second periodic reports due in 2000

Algeria	15 May 2000		
Antigua and Barbuda	3 November 2000		
Armenia	5 August 2000		
Cameroon	9 February 2000		
Comoros	21 July 2000		
Congo	12 November 2000		
Federated States of Micronesia	3 June 2000		
Fiji	11 September 2000		
Greece	9 June 2000		
Liberia	3 July 2000		
India	10 January 2000		
Libyan Arab Jamahiriya	14 May 2000	8 August 2000	CRC/C/93/Add.1
Marshall Islands	2 November 2000		
Monaco	20 July 2000		
Morocco	20 July 2000	13 October 2000	CRC/C/93/Add.3

Second periodic reports due in 2000 (continued)

State party	Date due	Date of submission	Symbol
New Zealand	5 May 2000	19 February 2001	CRC/C/93/Add.4
Papua New Guinea	31 March 2000		
Republic of Moldova	24 February 2000		
Saint Lucia	15 July 2000		
Saint Vincent and the Grenadines	24 November 2000		
Suriname	31 March 2000	15 August 2000	CRC/C/93/Add.2
Syrian Arab Republic	13 August 2000		
Tajikistan	24 November 2000		
Turkmenistan	19 October 2000		
Vanuatu	5 August 2000		

Second periodic reports due in 2001

State party	Date due	Date of submission	Symbol
Gabon	10 March 2001		
Luxembourg	5 April 2001		
Afghanistan	26 April 2001		
Japan	21 May 2001		
Mozambique	25 May 2001		
Georgia	1 July 2001	29 June 2001	CRC/C/104/Add.1
Iraq	14 July 2001		
Uzbekistan	28 July 2001		
Iran (Islamic Republic of)	11 August 2001		
Nauru	25 August 2001		
Eritrea	1 September 2001		
Kazakhstan	10 September 2001		
Kyrgyzstan	5 November 2001		
Samoa	28 December 2001		

Annex VI

LIST OF INITIAL AND SECOND PERIODIC REPORTS CONSIDERED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD AS AT 12 JULY 2001

	State party reports	Observations adopted by the Committee
Third session (January 1993)		
Bolivia	CRC/C/3/Add.2	CRC/C/15/Add.1
Sweden	CRC/C/3/Add.1	CRC/C/15/Add.2
Viet Nam	CRC/C/3/Add.4 and 21	CRC/C/15/Add.3
Russian Federation	CRC/C/3/Add.5	CRC/C/15/Add.4
Egypt	CRC/C/3/Add.6	CRC/C/15/Add.5
Sudan	CRC/C/3/Add.3	CRC/C/15/Add.6 (preliminary)
Fourth session (September-October 1993)		
Indonesia	CRC/C/3/Add.10	CRC/C/15/Add.7 (preliminary)
Peru	CRC/C/3/Add.7	CRC/C/15/Add.8
El Salvador	CRC/C/3/Add.9 and 28	CRC/C/15/Add.9
Sudan	CRC/C/3/Add.3 and 20	CRC/C/15/Add.10
Costa Rica	CRC/C/3/Add.8	CRC/C/15/Add.11
Rwanda	CRC/C/8/Add.1	CRC/C/15/Add.12 (preliminary)
Fifth session (January 1994)		
Mexico	CRC/C/3/Add.11	CRC/C/15/Add.13
Namibia	CRC/C/3/Add.12	CRC/C/15/Add.14
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.15 (preliminary)
Romania	CRC/C/3/Add.16	CRC/C/15/Add.16
Belarus	CRC/C/3/Add.14	CRC/C/15/Add.17

	State party reports	Observations adopted by the Committee
Sixth session (April 1994)		
Pakistan	CRC/C/3/Add.13	CRC/C/15/Add.18
Burkina Faso	CRC/C/3/Add.19	CRC/C/15/Add.19
France	CRC/C/3/Add.15	CRC/C/15/Add.20
Jordan	CRC/C/8/Add.4	CRC/C/15/Add.21
Chile	CRC/C/3/Add.18	CRC/C/15/Add.22
Norway	CRC/C/8/Add.7	CRC/C/15/Add.23
Seventh session (September-October 1994)		
Honduras	CRC/C/3/Add.17	CRC/C/15/Add.24
Indonesia	CRC/C/3/Add.10 and 26	CRC/C/15/Add.25
Madagascar	CRC/C/8/Add.5	CRC/C/15/Add.26
Paraguay	CRC/C/3/Add.22	CRC/C/15/Add.27 (preliminary)
Spain	CRC/C/8/Add.6	CRC/C/15/Add.28
Argentina	CRC/C/8/Add.2 and 17	CRC/C/15/Add.35 (adopted at the eighth session)
Eighth session (January 1995)		
Philippines	CRC/C/3/Add.23	CRC/C/15/Add.29
Colombia	CRC/C/8/Add.3	CRC/C/15/Add.30
Poland	CRC/C/8/Add.11	CRC/C/15/Add.31
Jamaica	CRC/C/8/Add.12	CRC/C/15/Add.32
Denmark	CRC/C/8/Add.8	CRC/C/15/Add.33
United Kingdom of Great Britain and Northern Ireland	CRC/C/11/Add.1	CRC/C/15/Add.34
Ninth session (May-June 1995)		
Nicaragua	CRC/C/3/Add.25	CRC/C/15/Add.36
Canada	CRC/C/11/Add.3	CRC/C/15/Add.37
Belgium	CRC/C/11/Add.4	CRC/C/15/Add.38
Tunisia	CRC/C/11/Add.2	CRC/C/15/Add.39
Sri Lanka	CRC/C/8/Add.13	CRC/C/15/Add.40

	State party reports	Observations adopted by the Committee
Tenth session (October-November 1995)		
Italy	CRC/C/8/Add.18	CRC/C/15/Add.41
Ukraine	CRC/C/8/Add.10/Rev.1	CRC/C/15/Add.42
Germany	CRC/C/11/Add.5	CRC/C/15/Add.43
Senegal	CRC/C/3/Add.31	CRC/C/15/Add.44
Portugal	CRC/C/3/Add.30	CRC/C/15/Add.45
Holy See	CRC/C/3/Add.27	CRC/C/15/Add.46
Eleventh session (January 1996)		
Yemen	CRC/C/8/Add.20	CRC/C/15/Add.47
Mongolia	CRC/C/3/Add.32	CRC/C/15/Add.48
Yugoslavia	CRC/C/8/Add.26	CRC/C/15/Add.49
Iceland	CRC/C/11/Add.6	CRC/C/15/Add.50
Republic of Korea	CRC/C/8/Add.21	CRC/C/15/Add.51
Croatia	CRC/C/8/Add.19	CRC/C/15/Add.52
Finland	CRC/C/8/Add.22	CRC/C/15/Add.53
Twelfth session (May-June 1996)		
Lebanon	CRC/C/18/Add.23	CRC/C/15/Add.54
Zimbabwe	CRC/C/3/Add.35	CRC/C/15/Add.55
China	CRC/C/11/Add.7	CRC/C/15/Add.56
Nepal	CRC/C/3/Add.34	CRC/C/15/Add.57
Guatemala	CRC/C/3/Add.33	CRC/C/15/Add.58
Cyprus	CRC/C/8/Add.24	CRC/C/15/Add.59
Thirteenth session (September-October 1996)		
Morocco	CRC/C/28/Add.1	CRC/C/15/Add.60
Nigeria	CRC/C/8/Add.26	CRC/C/15/Add.61
Uruguay	CRC/C/3/Add.37	CRC/C/15/Add.62
United Kingdom (Hong Kong)	CRC/C/11/Add.9	CRC/C/15/Add.63
Mauritius	CRC/C/3/Add.36	CRC/C/15/Add.64
Slovenia	CRC/C/8/Add.25	CRC/C/15/Add.65

	State party reports	Observations adopted by the Committee
Fourteenth session (January 1997)		
Ethiopia	CRC/C/8/Add.27	CRC/C/15/Add.66
Myanmar	CRC/C/8/Add.9	CRC/C/15/Add.67
Panama	CRC/C/8/Add.28	CRC/C/15/Add.68
Syrian Arab Republic	CRC/C/28/Add.2	CRC/C/15/Add.69
New Zealand	CRC/C/28/Add.3	CRC/C/15/Add.70
Bulgaria	CRC/C/8/Add.29	CRC/C/15/Add.71
Fifteenth session (May-June 1997)		
Cuba	CRC/C/8/Add.30	CRC/C/15/Add.72
Ghana	CRC/C/3/Add.39	CRC/C/15/Add.73
Bangladesh	CRC/C/3/Add.38 and 49	CRC/C/15/Add.74
Paraguay	CRC/C/3/Add.22 and 47	CRC/C/15/Add.75
Algeria	CRC/C/28/Add.4	CRC/C/15/Add.76
Azerbaijan	CRC/C/11/Add.8	CRC/C/15/Add.77
Sixteenth session (September-October 1997)		
Lao People's Democratic Republic	CRC/C/8/Add.32	CRC/C/15/Add.78
Australia	CRC/C/8/Add.31	CRC/C/15/Add.79
Uganda	CRC/C/3/Add.40	CRC/C/15/Add.80
Czech Republic	CRC/C/11/Add.11	CRC/C/15/Add.81
Trinidad and Tobago	CRC/C/11/Add.10	CRC/C/15/Add.82
Togo	CRC/C/3/Add.42	CRC/C/15/Add.83
Seventeenth session (January 1998)		
Libyan Arab Jamahiriya	CRC/C/28/Add.6	CRC/C/15/Add.84
Ireland	CRC/C/11/Add.12	CRC/C/15/Add.85
Micronesia (Federated States of)	CRC/C/28/Add.5	CRC/C/15/Add.86

	State party reports	Observations adopted by the Committee
Eighteenth session (May-June 1998)		
Hungary	CRC/C/8/Add.34	CRC/C/15/Add.87
Democratic People's Republic of Korea	CRC/C/3/Add.41	CRC/C/15/Add.88
Fiji	CRC/C/28/Add.7	CRC/C/15/Add.89
Japan	CRC/C/41/Add.1	CRC/C/15/Add.90
Maldives	CRC/C/8/Add.33 and 37	CRC/C/15/Add.91
Luxembourg	CRC/C/41/Add.2	CRC/C/15/Add.92
Nineteenth session (September-October 1998)		
	Initial reports	
Ecuador	CRC/C/3/Add.44	CRC/C/15/Add.93
Iraq	CRC/C/41/Add.3	CRC/C/15/Add.94
Thailand	CRC/C/11/Add.13	CRC/C/15/Add.96
Kuwait	CRC/C/8/Add.35	CRC/C/15/Add.97
	Second periodic reports	
Bolivia	CRC/C/65/Add.1	CRC/C/15/Add.95
Twentieth session (January 1999)		
	Initial reports	
Austria	CRC/C/11/Add.14	CRC/C/15/Add.98
Belize	CRC/C/3/Add.46	CRC/C/15/Add.99
Guinea	CRC/C/3/Add.48	CRC/C/15/Add.100
	Second periodic reports	
Sweden	CRC/C/65/Add.3	CRC/C/15/Add.101
Yemen	CRC/C/70/Add.1	CRC/C/15/Add.102

	State party reports	Observations adopted by the Committee
Twenty-first session (17 May-4 June 1999)		
	Initial reports	
Barbados	CRC/C/3/Add.45	CRC/C/15/Add.103
St. Kitts and Nevis	CRC/C/3/Add.51	CRC/C/15/Add.104
Benin	CRC/C/3/Add.52	CRC/C/15/Add.106
Chad	CRC/C/3/Add.50	CRC/C/15/Add.107
	Second periodic reports	
Honduras	CRC/C/65/Add.2	CRC/C/15/Add.105
Nicaragua	CRC/C/65/Add.4	CRC/C/15/Add.108
Twenty-second session (20 September-8 October 1999)		
	Initial reports	
Venezuela	CRC/C/3/Add.54 and 59	CRC/C/15/Add.109
Vanuatu	CRC/C/28/Add.8	CRC/C/15/Add.111
Mali	CRC/C/3/Add.53	CRC/C/15/Add.113
Netherlands	CRC/C/51/Add.1	CRC/C/15/Add.114
	Second periodic reports	
Russian Federation	CRC/C/65/Add.5	CRC/C/15/Add.110
Mexico	CRC/C/65/Add.6	CRC/C/15/Add.112
Twenty-third session (10-28 January 2000)		
	Initial reports	
India	CRC/C/28/Add.10	CRC/C/15/Add.115
Sierra Leone	CRC/C/3/Add.43	CRC/C/15/Add.116
The former Yugoslav Republic of Macedonia	CRC/C/8/Add.36	CRC/C/15/Add.118
South Africa	CRC/C/51/Add.2	CRC/C/15/Add.122
Armenia	CRC/C/28/Add.9	CRC/C/15/Add.119
Grenada	CRC/C/3/Add.55	CRC/C/15/Add.121
	Second periodic reports	
Peru	CRC/C/65/Add.8	CRC/C/15/Add.120
Costa Rica	CRC/C/65/Add.7	CRC/C/15/Add.117

	State party reports	Observations adopted by the Committee
Twenty-fourth session (15 May-2 June 2000)		
	Initial reports	
Iran (Islamic Republic of)	CRC/C/41/Add.5	CRC/C/15/Add.123
Georgia	CRC/C/41/Add.4/Rev.1	CRC/C/15/Add.124
Kyrgyzstan	CRC/C/41/Add.6	CRC/C/15/Add.127
Cambodia	CRC/C/11/Add.16	CRC/C/15/Add.128
Malta	CRC/C/3/Add.56	CRC/C/15/Add.129
Suriname	CRC/C/28/Add.11	CRC/C/15/Add.130
Djibouti	CRC/C/8/Add.39	CRC/C/15/Add.131
	Second periodic reports	
Jordan	CRC/C/70/Add.4	CRC/C/15/Add.125
Norway	CRC/C/70/Add.2	CRC/C/15/Add.126
Twenty-fifth session (18 September-6 October 2000)		
	Initial reports	
Burundi	CRC/C/3/Add.58	CRC/C/15/Add.133
United Kingdom of Great Britain and Northern Ireland (Isle of Man)	CRC/C/11/Add.19 and Corr.1	CRC/C/15/Add.134
United Kingdom of Great Britain and Northern Ireland (Overseas Territories)	CRC/C/41/Add.7 and 9	CRC/C/15/Add.135
Tajikistan	CRC/C/28/Add.14	CRC/C/15/Add.136
Central African Republic	CRC/C/11/Add.18	CRC/C/15/Add.138
Marshall Islands	CRC/C/28/Add.12	CRC/C/15/Add.139
Slovakia	CRC/C/11/Add.17	CRC/C/15/Add.140
Comoros	CRC/C/28/Add.13	CRC/C/15/Add.141
	Second periodic reports	
Finland	CRC/C/70/Add.3	CRC/C/15/Add.132
Colombia	CRC/C/70/Add.5	CRC/C/15/Add.137

	State party reports	Observations adopted by the Committee
Twenty-sixth session (8-26 January 2001)		
	Initial reports	
Latvia	CRC/C/11/Add.22	CRC/C/15/Add.142
Liechtenstein	CRC/C/61/Add.1	CRC/C/15/Add.143
Lithuania	CRC/C/11/Add.21	CRC/C/15/Add.146
Lesotho	CRC/C/11/Add.20	CRC/C/15/Add.147
Saudi Arabia	CRC/C/61/Add.2	CRC/C/15/Add.148
Palau	CRC/C/51/Add.3	CRC/C/15/Add.149
Dominican Republic	CRC/C/8/Add.40 and 44	CRC/C/15/Add.150
	Second periodic reports	
Ethiopia	CRC/C/70/Add.7	CRC/C/15/Add.144
Egypt	CRC/C/65/Add.9	CRC/C/15/Add.145
Twenty-seventh session 21 May-8 June 2001		
	Initial reports	
Turkey	CRC/C/51/Add.4	CRC/C/15/Add.152
Democratic Republic of the Congo	CRC/C/3/Add.57	CRC/C/15/Add.153
Côte d'Ivoire	CRC/C/8/Add.41	CRC/C/15/Add.155
United Republic of Tanzania	CRC/C/8/Add.14/Rev.1	CRC/C/15/Add.156
Bhutan	CRC/C/3/Add.60	CRC/C/15/Add.157
Monaco	CRC/C/28/Add.15	CRC/C/15/Add.158
	Second periodic reports	
Denmark	CRC/C/70/Add.6	CRC/C/15/Add.151
Guatemala	CRC/C/65/Add.10	CRC/C/15/Add.154

Annex VII

PROVISIONAL LIST OF REPORTS SCHEDULED FOR CONSIDERATION AT THE COMMITTEE'S TWENTY-EIGHTH AND TWENTY-NINTH SESSIONS

Twenty-eighth session
24 September-12 October 2001

Initial reports

Qatar	CRC/C/51/Add.5
Gambia	CRC/C/3/Add.61
Cape Verde	CRC/C/11/Add.23
Uzbekistan	CRC/C/41/Add.8
Oman	CRC/C/78/Add.1
Kenya	CRC/C/3/Add.62
Mauritania	CRC/C/8/Add.42
Cameroon	CRC/C/28/Add.16

Second periodic reports

Portugal	CRC/C/65/Add.11
Paraguay	CRC/C/65/Add.12

Twenty-ninth session
14 January-1 February 2002

Initial reports

Greece	CRC/C/28/Add.17
Gabon	CRC/C/41/Add.10
United Arab Emirates	CRC/C/78/Add.2
Mozambique	CRC/C/41/Add.11
Andorra	CRC/C/61/Add.3
Malawi	CRC/C/8/Add.43
Bahrain	CRC/C/11/Add.24

Second periodic reports

Lebanon	CRC/C/70/Add.8
Chile	CRC/C/65/Add.13

Annex VIII

STATEMENT OF THE COMMITTEE ON THE RIGHTS OF THE CHILD TO THE TWENTY-FIFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY FOR AN OVERALL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE OUTCOME OF THE UNITED NATIONS CONFERENCE ON HUMAN SETTLEMENTS (HABITAT II)

(adopted in Geneva on 25 May 2001, at the twenty-seventh session of the Committee)

1. The Committee on the Rights of the Child wishes to express its concern at the insufficient recognition given to the human right of children to adequate housing, enshrined by the Convention on the Rights of the Child, in the draft Declaration on Cities and Other Human Settlements in the New Millennium.[1] The Committee calls upon Governments participating in the special session to ensure that the Declaration to be adopted conforms with and reaffirms the international standards on the right of children to adequate housing already set in the Convention on the Rights of the Child. It encourages Governments to take account also of the recognition of a right to adequate housing, as a component of the human right to an adequate standard of living, contained in other human rights instruments, in resolutions of the Commission on Human Rights[2] and the General Assembly, and in the Habitat Agenda adopted at the second United Nations Conference on Human Settlements held in Istanbul in 1996.

2. In 1996, the Committee on the Rights of the Child adopted a statement to the second United Nations Conference on Human Settlements (Habitat II),[3] urging that the Habitat Agenda give appropriate reflection to the fundamental right to adequate housing that the international community has recognized for children.

3. As the Committee mentioned in that statement, the right to an adequate standard of living was already recognized for children by the League of Nations, in 1924.[4] The Declaration on the Rights of the Child adopted by the General Assembly in 1959 stated that the child "shall have the right to adequate nutrition, housing, recreation and medical services".[5]

4. The Convention on the Rights of the Child, adopted by the General Assembly by its resolution 44/25 of 20 November 1989, has achieved near-universal ratification, with 191 States parties. Only two States have not ratified it to date, and one of them signed it in 1995.

5. Article 27 of the Convention made the right a binding obligation for its States parties, providing that:

> "1. States parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
>
> "2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

> "3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing."

6. States parties have undertaken to respect and ensure the rights set forth in the Convention to each child within their jurisdiction "without discrimination of any kind" (art. 2); to make the "best interests of the child" a primary consideration in all actions concerning children (art. 3); to "ensure to the maximum extent possible the survival and development of the child" (art. 6); and to assure to children the right to express views freely in matters affecting them, giving due weight to such views (art. 12). These are considered the four general principles which guide the implementation of all provisions of the Convention, including those of article 27 and of the many other provisions which are linked to the child's right to adequate housing (for example, article 24 on the right to health, or article 31 on the right to rest and leisure).

7. By ratifying the Convention, States parties have voluntarily accepted the legal obligation to undertake all appropriate legislative, administrative and other measures for the implementation of the rights it recognizes. For economic, social and cultural rights, States parties shall undertake such measures "to the maximum extent of their available resources and, where needed, within the framework of international cooperation" (art. 4). States parties to the Convention are thus bound to pursue the implementation of child rights, including the right to adequate housing, also in the context of their participation in international activities.

8. The Committee on the Rights of the Child was set up, by article 43 of the Convention, to examine the progress made by States parties in achieving the realization of their obligations under the Convention. As of its twenty sixth session, the Committee had examined 150 reports submitted by States parties. Its experience in the examination of reports from such a large variety of States has allowed the Committee to identify the implementation of the right to housing of children as a clear illustration of the need to pay due attention to the indivisibility, interdependence and universality of human rights. These principles were incorporated in the Vienna Declaration and Programme of Action adopted by the 1993 World Conference on Human Rights.

9. The Committee notes, in particular, that it continues to give special attention, in its examination of progress made by States parties in the implementation of the Convention, to the right of children to adequate housing in connection with non-discrimination, and particularly on the grounds of the child's or his or her parents' race, colour, national or ethnic origin, sex, property or other status. It is also particularly concerned about respect for the entitlement of children living in the streets to the special protection and assistance to be provided by the State to children temporarily or permanently deprived of a family environment, in accordance with the provisions of article 20. The Committee also wishes to draw attention to the provisions of article 16 of the Convention, under which "no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence …", and he or she has the "right to protection of the law against such interference or attacks".

10. In view of its own mandate to promote the implementation of the right of children to adequate housing, the Committee has welcomed warmly the appointment, by the Commission on Human Rights,[6] of a Special Rapporteur on "adequate housing as a component of the right to an adequate standard of living". It looks forward to fruitful and close cooperation with the Special Rapporteur and welcomes the initiatives of the Special Rapporteur in that regard. The Committee also welcomes, and draws to the attention of the special session, to the analysis of the legal status of the right to adequate housing and of the issues related to children and housing rights contained in the first report of the Special Rapporteur.[7]

11. The Committee expresses its support for the statement addressed by the Committee on Economic, Social and Cultural Rights to the special session. It shares the views set out in that statement on the right to adequate housing as a justiciable and enforceable right which is already the subject of domestic remedies in many States.

12. In that regard, the Committee on the Rights of the Child notes with appreciation the effort made by many States parties to ensure appropriate reflection of the rights of children in their domestic legal orders, including by enshrining them as constitutional provisions. It welcomes the growing case law accumulating in States parties on the interpretation of the positive obligations involved in the implementation of the human rights of children, including to adequate housing. Relevant court decisions indicate that State obligations with respect to the right to adequate housing are set at a particularly high standard where children are involved.[8] This fundamental human right of children must be appropriately reflected in the review of the implementation of the Habitat Agenda.

Notes

[1] As contained in HS/C/PC.2/3.

[2] Including most recent resolutions adopted by the Commission at its fifty-seventh session on adequate housing as a component of the right to an adequate standard of living (2001/28) and on women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing (2001/34).

[3] CRC/C/50, annex VIII.

[4] Principle No. 1 of the Declaration on the Rights of the Child of the League of Nations (the "Declaration of Geneva"), adopted in 1924, incorporates the right to adequate "material and spiritual living conditions for the achievement of a normal and harmonious development of the child".

[5] Principle 4. The Declaration was adopted by General Assembly resolution 1386 (XIV).

[6] Commission on Human Rights resolution 2000/9.

[7] CN.4/2001/51, paras. 23-55 (particularly para. 33) and paras. 69-72.

[8] As most recently reflected in the judgement of the Constitutional Court of South Africa, The Government of the Republic of South Africa et al. v. Irene Grootboom et al., Case CCT 11/00, heard on 11 May 2000 and decided on 4 October 2000.

Annex IX

STATEMENT OF THE COMMITTEE ON THE RIGHTS OF THE CHILD TO THE THIRD SESSION OF THE PREPARATORY COMMITTEE FOR THE SPECIAL SESSION OF THE GENERAL ASSEMBLY ON CHILDREN

The Committee on the Rights of the Child has followed closely and welcomed the opportunity to participate in the preparatory process for the special session of the General Assembly on Children, which it considers a very important initiative. It expects this event to renew and reinforce the commitment of the international community to the enjoyment by children of their human rights, as enshrined in the Convention on the Rights of the Child, which counts 192 States parties and signatories. The 1990 World Summit for Children placed ratification and implementation of the Convention at the centre of the international agenda for children. A decade of experience with the follow-up process to the World Summit, and with implementation of the Convention, proves the importance of ensuring that all further international efforts for children reinforce the existing consensus on the importance of grounding all commitments firmly in the human rights of children.

The Committee welcomes the discussions taken by the Preparatory Committee at its second session. It particularly appreciates the calls from the vast majority of Government delegations and NGOs for the outcome of the special session to be clearly based on implementation of the standards set by the Convention.

The Committee wishes to congratulate the Bureau of the Preparatory Committee for the submission of a greatly improved "Second revised draft outcome document". In particular, the Committee would like to express its appreciation for the reflection in the revised draft of the crucial role to be played by children, as well as families, NGOs and others under paragraph 26, and the heading of "partnerships and participation".

The Committee considered the second revised draft outcome document (A/AC.256/CRP.6/Rev.2) carefully during its twenty-seventh session, and would like to submit the following observations to the third session of the Preparatory Committee.

1. The second revised draft outcome document submitted by the Bureau of the Preparatory Committee acknowledges the key role that the Convention on the Rights of the Child plays in national and international efforts to improve the situation of children around the world. The Committee on the Rights of the Child appreciates the references to the Convention in paragraphs 4, 8, 25 and 52 of the second revised draft. However, the Committee notes that other references to the Convention that had been included in the first draft have been eliminated, and it is deeply concerned about the absence of stronger and clearer references to relevant child rights standards throughout the draft.

2. The Committee feels that calls for ratification of crucial international treaties (para. 24) are not sufficiently highlighted in the current draft. It believes that reference to the key treaties mentioned in a footnote to that paragraph should be explicitly identified as a non-exhaustive list. The Committee thinks that references to such instruments (and particularly to the two Optional Protocols to the Convention) should also be made in relevant sections of the draft outcome

document (and particularly in relevant "strategies and actions" listed under paragraph 37). The Committee suggests that the Hague Convention on the Civil Aspects of International Child Abduction of 1980 should be added to the list of instruments. The Committee would also like to suggest that the reference to the Convention in paragraph 4 could be explicitly linked to the renewed call in the Millennium Declaration, adopted by the General Assembly in September 2000, for universal ratification and full implementation of the Convention (and its two Optional Protocols).

3. The Committee welcomes the draft document's reaffirmation of the obligations enshrined in the Convention (para. 4). The Committee believes that, beyond reaffirming the Convention's obligations, the outcome document should also link explicitly the commitments undertaken at the special session to the implementation of the Convention. To give one example, the first sentence of paragraph 5 could be redrafted to add:

> "We hereby call on all members of society to join us in a global movement that will help to [promote respect for child rights] and build a world fit for children by upholding the following principles:"

4. The Committee also notes that paragraph 8 makes no reference to the effort made by most States to prepare reports on their implementation of the Convention and to the useful lessons learned from the examination of such reports. They provide evidence of the numerous legislative, administrative and social measures, programmes and policies that have been adopted by many States among general measures to implement the Convention, contributing to make this a world more fit for children. A clear lesson that has emerged is the need for systematic review of all existing legislation from a child-rights perspective. The Committee would like to suggest that paragraph 8 could be amended as follows:

> "As documented in the end-decade review of the Secretary-General on follow-up to the World Summit for Children [and in the hundreds of State reports submitted to the Committee on the Rights of the Child], the 1990s were a decade of great promises, moderate efforts and modest achievements for the world's children."

Similarly, paragraph 25 could be redrafted to follow up on its reference to the Convention by adding to the last sentence:

> "We therefore commit ourselves to implementing [the Convention through] this Plan of Action by:"
>
> (a) [Reviewing and s]Strengthening legislation and policies, and allocating resources to [the realization of] the rights of the child;"

5. In another example, paragraph 43 could be redrafted to add:

> "[In accordance with article 4 of the Convention on the Rights of the Child, w]We will use, to the maximum extent, all available resources both nationally and, where needed, within the framework of international cooperation, including South-South cooperation, to implement [the Convention, including through the achievement of] the goals and objectives of this Plan of Action."

6. Other paragraphs could be equally strengthened, reflecting better the widespread call for the outcome document to be firmly grounded in the Convention, by inserting clear references to child rights (including to specific provisions of the Convention).

7. On more specific subjects, the Committee wishes to emphasize the need for the draft outcome document to improve its attention in particular to two priority issues:

(a) The right of children to be protected from all forms of violence, abuse and neglect, including within the family; and

(b) The need to give greater priority to protecting the rights of children alleged or recognized as having infringed the law.

8. On protection of children from all forms of violence, abuse and neglect (a clear commitment under article 19 and related provisions of the Convention), the Committee feels that the general reference to this objective in paragraph 36 (a) is not appropriately reflected in the more specific "strategies and actions" described in paragraph 37. At a minimum, the second bullet point should be modified to:

> "Encourage all countries to adopt and enforce laws, and improve the implementation of policies and programmes, to protect children from all forms of violence, [abuse and neglect (including sexual abuse)], whether at home, in school or other institutions, or in the community",

9. The Committee would also like to suggest that the relevant bullet point or points (for example, the second and third ones) under paragraph 37 of the draft should also mention that all laws, policies and programmes in this field should consider the need for child-sensitive procedures and multidisciplinary efforts. The references to quality education should also state that a "child-friendly environment" clearly calls for protection from violence. The Committee would suggest that the third bullet point under paragraph 34 be redrafted as follows:

> "Create, with children, a child-friendly learning environment, in which students feel safe, are protected from [all forms of violence,] abuse and discrimination and are encouraged to learn …"

10. The Committee has always highlighted the importance of eliminating sexual exploitation of children. It acknowledges the timeliness of the references to the elimination of sexual exploitation of children in the last bullet points under paragraph 37, particularly in view of the Second World Congress against Commercial Sexual Exploitation of Children to be held in

Yokohama in December 2001. The Committee considers, however, that insufficient attention is given in the outcome document to the urgent need to adopt and implement effectively legislation, programmes and policies, and public education strategies to address also protection from sexual abuse, including within the family.

11. The Committee wishes to note that juvenile justice is one of the areas in which the State has a more direct responsibility for respecting and promoting the rights of children. The Committee agrees that the four issues listed in paragraph 36 as main goals for "protecting against abuse, exploitation and violence", protecting children from all forms of violence and abuse, from the impact of armed conflict, from exploitation and trafficking, and from the worst forms of labour are urgent priorities. They are problems that affect vast numbers of children and where solutions will be complex and require changes in the behaviour of private actors and society at large. The Committee acknowledges that respect for child rights within juvenile justice systems usually affects smaller numbers of children than the abuses listed under paragraph 36. However, the Committee wishes to highlight that the treatment received by children in conflict with the law depends solely on the actions of the State (and its agents). Improving respect for the rights of children under such circumstances should be easier to achieve than in cases where full implementation of the rights of children requires significant changes in cultural values, social structures or economic conditions. Respect for the rights of children alleged or recognized as having infringed the law should thus be seen as an urgent priority requiring immediate action by States to implement their obligations under the Convention.

12. Given such considerations, the Committee urges States to ensure that protection of this highly vulnerable group of children be included among the main goals to be adopted at the special session, listed in paragraph 36. In addition the Committee suggests that the relevant references included in the fifth and sixth bullet points under paragraph 37 of the draft should explicitly recognize other basic standards of protection for children in conflict with the law beyond the need for separate juvenile justice systems and specially trained staff, the promotion of reintegration in society and protection from torture. The outcome document should also explicitly refer to the obligation not to impose capital punishment or life imprisonment without possibility of release for offences committed before the age of 18, in accordance with article 37 (a) of the Convention, and the requirement that arrest, detention and imprisonment of children be "used only as a measure of last resort and for the shortest appropriate period of time", in accordance with article 37 (b) of the Convention. The Committee considers also that a footnote referring to key United Nations standards in this domain would help to ensure that the draft outcome document reflects appropriately the obligation to ensure respect for the human rights of children alleged or recognized as having infringed the law. In addition, the Committee urges that children in detention be included among the groups of children at particularly high risk of HIV infection, listed in the second bullet point of paragraph 40.

13. On other subjects, the Committee notes that a reference to birth registration (a right recognized by article 7 of the Convention and crucial to establish the child's entitlement to all other human rights) has been included in the first bullet point under paragraph 37 of the draft. Birth registration is a right of all children, as well as a useful strategy for protecting children against abuse, exploitation and violence. It is also essential in helping to ensure respect for the right of children to the enjoyment of the highest attainable standard of health and the right of children to education. The Committee understands that it is difficult to fit this issue under the

current structure of section B of the draft. It would like to suggest that this reference could be moved to the introductory paragraphs for section B (that is, before the heading preceding paragraph 29).

14. The Committee regrets also that the reference in paragraph 37 of the draft to the commitment to protect refugee children, unaccompanied children seeking asylum and internally displaced children seems to restrict the issue to the context of armed conflict. The placing of the relevant bullet point under that heading and its wording seem to ignore the discrimination and other serious problems that refugee and unaccompanied children can also experience in the absence of armed conflict. The Committee would suggest that the bullet point be placed outside the section on "protection from armed conflict", if necessary by dividing its contents into two separate references, one to raise human rights issues affecting all refugee and asylum-seeking children and another one to highlight the need for particular attention to these groups of children (including the internally displaced) in the context of armed conflicts.

The Committee on the Rights of the Child urges Government delegations to ensure that the outcome of the special session does not proclaim a new and different set of principles to guide action for children. Goals and objectives set by the special session for immediate action must be firmly integrated into a longer-term process of implementation and monitoring of all the rights of children recognized by the international community, as enshrined by the Convention on the Rights of the Child. The Committee expresses to all participants in the third session of the Preparatory Committee for the Special Session on Children its best wishes for a successful and productive effort and looks forward to the outcome of the deliberations.

Annex X

COMMITTEE ON THE RIGHTS OF THE CHILD:

STATEMENT TO THE THIRD SESSION OF THE PREPARATORY COMMITTEE FOR THE WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

The Committee on the Rights of the Child took note of the draft Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/PC.2/27) with special interest.

Millions of children have been and still are victims of racism, racial discrimination, xenophobia and related intolerance. Children can be directly or indirectly (as a consequence of discrimination against their parents, families and communities) victims of discrimination. The Committee, when reviewing and discussing States parties' reports, has consistently paid attention to the implementation of the principle of non-discrimination (article 2 of the Convention on the Rights of the Child), particularly as it relates to the most vulnerable groups of children, including economically and socially marginalized children. The Committee has expressed concern that many children are often faced with double and/or multiple discrimination by virtue of being members of two or more marginalized groups in their respective societies.

The Committee would like to commend the Preparatory Committee for its efforts to cover all the relevant aspects of the prevention of and the fight against racism, racial discrimination, xenophobia and related intolerance. The success of the Preparatory Committee thus far is undoubtedly due to the thorough preparation and valuable input of States through, inter alia, regional conferences, as well as to the full and dedicated support of the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, and her staff. Acknowledging that the draft Declaration and Plan of Action cover many equally important aspects, the Committee, given its mandate, would like to limit itself to some observations and remarks concerning Education, Training and Public Information (chap. II) and Children (chap. IX)

Education, training and public information

While education may be considered the most essential and positive tool in the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance, it can also be used negatively to indoctrinate, incite and promote propaganda on ideas or theories of superiority of one race or group of persons.

In its first general comment, devoted to the aims of education, article 29 (1) of the Convention, the Committee elaborates on the importance of teaching and promoting an understanding of respect for all human rights at all levels of the educational system. The Committee has submitted this general comment as its contribution to the World Conference.

Noting the significant role of education in the fight against racial discrimination, the Committee systematically encourages States to guarantee free access to mandatory primary education, without any discrimination, to all children within their jurisdiction. This means that every child should be enrolled and that none should be excluded for reasons of discrimination. This principle should be applied to both primary and secondary education.

Based on these observations, the Committee would like to make the following concrete suggestions for the chapter on Education, Training and Public Information:

(a) The text could start with a paragraph on non-discriminatory access to education, reiterating that States should take all necessary steps to make this access a reality for all children within their jurisdiction;

(b) It could emphasize more clearly the need for good quality education (adequate financial and human resources) which efficiently and effectively targets the aims of education, article 29 (1) of the Convention. This should entail, inter alia,

(i) Curricula that are adapted to include the cultural and linguistic realities of children belonging to minority, indigenous or ethnic groups, as well as refugee and other socially marginalized children;

(ii) Teaching materials that are carefully and regularly reviewed in order to prevent negative presentations of minority children and promote a better understanding of and respect for all cultures and ethnic groups, their differences and their history; and

(iii) The active involvement and participation of minority children and their parents in all school matters;

(c) Finally, the text could emphasize more clearly the importance of teacher training, focusing on the development of values and attitudes that respect the principle of non-discrimination, community participation and promotion of evaluation and research.

Children

The Committee notes with appreciation that special attention is given to children in the draft Declaration and Plan of Action. This is important not only because children are among the most vulnerable victims of racism, but also because they can play an important role as active participants in the prevention of and fight against racism. This could mean, inter alia, that children are:

(a) Involved in the preparation of programmes or activities addressing the issue of racism, xenophobia and related intolerance in their communities and schools;

(b) Consulted about the collection of trustworthy information on these issues; and/or

(c) Empowered and supported in order to play an active role in combating racism, racial discrimination, xenophobia and related intolerance.

Some specific comments:

(a) The Committee would like to suggest the inclusion of a paragraph encouraging States to ratify the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. The Convention on the Rights of the Child, along with its two Optional Protocols, is relevant in the fight against racism, including all forms of discrimination against children;

(b) With respect to paragraph 43: indigenous children should be added to the list;

(c) With respect to paragraph 44: "The World Conference against Racism invites States to establish efficient and effective system (s) to collect reliable disaggregated statistical data and analyse them in (…) children's lives and to develop the necessary indicators for measuring progress. States should ensure that any data collected (…) not be misused."

(d) With respect to paragraph 44 bis: "children" should be used instead of "women and girls" – the focus in this chapter should be on children;

(e) With respect to paragraph 45 bis: the word "girls" should replace "women". Further, the words "children" or "girls and boys" should replace "women and girls";

(f) The Committee thinks that the content of paragraphs 47-49 are of a more general nature and could be better placed in the preamble or elsewhere in the document.

Annex XI

LIST OF DOCUMENTS ISSUED FOR THE TWENTY-SEVENTH SESSION OF THE COMMITTEE

CRC/C/3/Add.57	Initial report of the Democratic Republic of the Congo
CRC/C/3/Add.60	Initial report of Bhutan
CRC/C/8/Add.41	Initial report of Côte d'Ivoire
CRC/C/8/Add.14/Rev.1	Initial report of the United Republic of Tanzania
CRC/C/28/Add.15	Initial report of Monaco
CRC/C/40/Rev.18	Note by the Secretary-General on areas in which the need for technical advice and advisory services has been identified in the light of the observations adopted by the Committee
CRC/C/51/Add.4 and 8	Initial report of Turkey
CRC/C/65/Add.10	Second periodic report of Guatemala
CRC/C/70/Add.6	Second periodic report of Denmark
CRC/C/105	Provisional agenda and annotations
CRC/C/106	Note by the Secretary-General on the States parties to the Convention and the status of submission of reports
CRC/C/SR.698-721	Summary records of the twenty-seventh session.

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